

<b>Tab 1</b>	<b>CS/SB 404 by HP, Stargel (CO-INTRODUCERS) Hutson, Harrell, Gruters, Mayfield, Baxley, Diaz, Albritton, Broxson; (Compare to H 00265) Parental Consent for Abortion</b>					
<del>355614</del> —D	S	WD	JU, Stargel	Delete everything after	01/16 11:17 AM	
<del>222526</del> —AA	S	WD	JU, Gibson	Delete L.224 - 225:	01/16 11:17 AM	
<del>877690</del> —A	S	WD	JU, Gibson	Delete L.151:	01/16 11:17 AM	

<b>Tab 2</b>	<b>SB 726 by Rouson; (Similar to H 00255) Florida Commission on Human Relations</b>					
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<b>Tab 3</b>	<b>SB 748 by Flores; (Similar to H 00587) Takings Claims Within Areas of Critical State Concern</b>					
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<b>Tab 4</b>	<b>SB 1002 by Rodriguez; (Identical to CS/H 00103) Subpoenas</b>					
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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**JUDICIARY**  
**Senator Simmons, Chair**  
**Senator Rodriguez, Vice Chair**

**MEETING DATE:** Wednesday, January 15, 2020

**TIME:** 10:15 a.m.—1:15 p.m.

**PLACE:** *Toni Jennings Committee Room*, 110 Senate Building

**MEMBERS:** Senator Simmons, Chair; Senator Rodriguez, Vice Chair; Senators Baxley, Gibson, Hutson, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>CS/SB 404</b> Health Policy / Stargel (Compare H 265, Linked CS/S 406)	Parental Consent for Abortion; Creating the "Parental Consent for Abortion Act"; prohibiting a physician from performing an abortion on a minor unless the physician has been presented with consent from the minor's parent or guardian, as appropriate; providing an exception for a medical emergency; authorizing a minor to petition any circuit court in which the minor resides for a waiver of consent required to obtain an abortion, etc.  HP 11/12/2019 Temporarily Postponed HP 12/10/2019 Fav/CS JU 01/15/2020 Favorable RC	Favorable Yeas 3 Nays 2
2	<b>SB 726</b> Rouson (Similar H 255, Compare S 450)	Florida Commission on Human Relations; Revising quorum requirements for the Commission on Human Relations and its panels; revising the number of persons the commission must recommend for the Florida Civil Rights Hall of Fame; deleting a requirement that a facility or community that provides housing for older persons register with and submit a letter to the commission; deleting the requirement for the commission or Attorney General to investigate a complaint of discrimination in evaluating an application for club membership, etc.  GO 12/09/2019 Favorable JU 01/15/2020 Favorable RC	Favorable Yeas 5 Nays 0
3	<b>SB 748</b> Flores (Similar H 587)	Takings Claims Within Areas of Critical State Concern; Citing this act as the "Florida Keys Property Rights Protection Act"; providing for the apportionment of awards of damages for takings claims within areas of critical state concern; providing that certain governmental entities are liable only for certain postjudgment interest; requiring local governments to be reimbursed for specified amounts under certain circumstances, etc.  JU 01/15/2020 Favorable CA AP	Favorable Yeas 5 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Judiciary

Wednesday, January 15, 2020, 10:15 a.m.—1:15 p.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 1002</b> Rodriguez (Identical CS/H 103)	Subpoenas; Revising the definition of “properly served”; authorizing an applicant to petition a court to compel compliance with a subpoena; authorizing a court to address noncompliance as indirect criminal contempt and impose a daily fine for a specified amount of time, etc.  JU 01/15/2020 Favorable ACJ AP	Favorable Yeas 5 Nays 0

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Other Related Meeting Documents

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Judiciary

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BILL: CS/CS/SB 404

INTRODUCER: Judiciary Committee; Health Policy Committee; and Senator Stargel and others

SUBJECT: Abortion

DATE: January 17, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Looke/Kibbey</u>	<u>Brown</u>	<u>HP</u>	<u>Fav/CS</u>
2.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<u>Favorable</u>
3.	_____	_____	<u>RC</u>	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 404 creates the Parental Consent for Abortion Act in s. 390.01117, F.S. The Act prohibits a physician from performing an abortion on a minor unless the physician has received a notarized, written consent statement signed by the minor and her mother, father, or legal guardian. However, the consent requirement does not apply if:

- The abortion is performed during a medical emergency when there is insufficient time to obtain consent; or
- The minor petitions the circuit court where she resides and receives a judicial waiver of parental consent.

The bill also authorizes first degree misdemeanor penalties for:

- A physician who willfully and intentionally performs an abortion on an unemancipated minor without the required consent; and
- Any person who provides consent who is not authorized to do so.

In addition to the potential for criminal penalties, the bill specifies that failing to obtain consent is prima facie evidence of interference with family relations in an appropriate civil action. Finally, the bill requires a physician who performs an abortion on a minor to report the performance of the abortion and related information to the Department of Health.

The bill takes effect July 1, 2020.

## II. Present Situation:

### A Minor's Right to Obtain an Abortion

A minor has a constitutional right to consent to and obtain an abortion.<sup>1</sup> However, that right is not without restrictions. For a minor to obtain an abortion in Florida, she must comply with the provisions of the Parental Notice of Abortion Act contained in s. 390.01114, F.S.

### Historical Background of Federal Abortion Law

In a series of decisions rendered over several decades, the United States Supreme Court has established principles governing abortion and a minor's right to obtain an abortion.

#### *Roe v. Wade – A Woman's Constitutional Right to Privacy and Abortion*

In 1973, the U.S. Supreme Court issued the primary abortion decision, *Roe v. Wade*.<sup>2</sup> The Court concluded that a woman's right to terminate her pregnancy is entitled to constitutional protection under a right to privacy, even though "The Constitution does not explicitly mention any right of privacy."<sup>3</sup> The Court determined that the right of privacy, whether

[F]ounded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action, as we feel it is, or as the District Court determined, in the Ninth amendment's reservation of rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy."<sup>4</sup>

The right, however, is not absolute and is subject to limitations. The Court noted in a later decision, *Planned Parenthood of Central Missouri v. Danforth*,<sup>5</sup> that the *Roe* Court "emphatically rejected"<sup>6</sup> the argument

[T]hat the woman's right is absolute and that she is entitled to terminate her pregnancy at whatever time, in whatever way and for whatever reason she alone chooses . . . . Instead, this right must be considered against important state interests in regulation."<sup>7</sup>

<sup>1</sup> Abortion is defined as the termination of a human pregnancy with an intention *other than* to produce a live birth or remove a dead fetus. s. 390.011(1), F.S. The procedure may only be performed by a state-licensed physician or osteopathic physician or a physician practicing medicine or osteopathic medicine in the employment of the United States. s. 390.011(9), F.S.

A pregnancy may not be terminated during the third trimester or once a physician has determined that a fetus has achieved viability unless there is a medical necessity. For an abortion to be performed during the third trimester of pregnancy or upon viability, two physicians must certify in writing that, in reasonable medical judgment, the termination is necessary to save the pregnant woman's life or avert a serious risk of substantial and irreversible physical impairment of a major bodily function of the pregnant woman, other than a psychological condition. If a second physician is not available, one physician may certify in writing as to the medical necessity for legitimate emergency medical procedures to terminate the pregnancy. Sections. 390.0111(1) and 390.01112(1), F.S.

<sup>2</sup> *Roe v. Wade*, 410 U.S. 113 (1973).

<sup>3</sup> *Id.* at 151.

<sup>4</sup> *Id.* at 153.

<sup>5</sup> *Planned Parenthood of Central Missouri v. Danforth*, 428 U.S. 52 (1976).

<sup>6</sup> *Id.* at 60.

<sup>7</sup> *Id.* at 60, 61 (quoting *Roe*, 410 U.S. at 154).

The *Roe* Court reasoned that when certain fundamental rights are involved, a state regulation limiting those rights “may be justified only by a ‘compelling state interest’” and the state regulations “must be narrowly drawn to express only the legitimate state interests at stake.”<sup>8</sup> The Court noted that a state has an important and legitimate interest in protecting the health of the woman as well as protecting the potentiality of human life.<sup>9</sup>

### ***Planned Parenthood v. Casey – The Undue Burden Standard and Substantial Obstacle Test***

In 1992, the U.S. Supreme Court issued another significant abortion decision, *Planned Parenthood of Southeastern Pennsylvania v. Casey*.<sup>10</sup> In upholding abortion regulations, the Court adopted the new “undue burden” standard. An undue burden exists and makes a statute invalid if its “purpose or effect is to place a substantial obstacle in the path of a woman seeking an abortion before the fetus attains viability.”<sup>11</sup> The Court held that the undue burden standard is an appropriate means of reconciling a state’s interest in human life with the woman’s constitutionally protected liberty to decide whether to terminate a pregnancy.

### **Federal Case Law for Parental Involvement Laws and By-Pass Proceedings**

In the wake of the *Roe* decision, states began enacting laws to regulate a minor’s access to abortion. Appellate courts attempted to reconcile the right of a minor to obtain an abortion with a parent’s right to be involved in the daughter’s abortion decision. Both the U.S. Supreme Court and the Florida Supreme Court rendered decisions that established frameworks for analyzing whether parental consent and parental notice laws meet constitutional muster.

### ***Planned Parenthood of Central Missouri v. Danforth – Minors are Protected***

The U.S. Supreme Court first addressed a parental consent statute in a 1976 decision, *Planned Parenthood of Central Missouri v. Danforth*.<sup>12</sup> The Court struck a Missouri statute that required a minor to obtain the written consent of a parent or person *in loco parentis* before she could obtain an abortion. The Court noted that the state could not impose a blanket parental consent requirement as a condition for abortion and reasoned that the state did not have the constitutional authority to give to “a third party an absolute and possibly arbitrary veto over the decision of the physician” and the minor, “regardless of the reason for withholding the consent.” The Court stated that minors, like adults, are protected under the Constitution and possess constitutional rights. Those rights do not “magically” come into being when someone “attains the state-defined age of majority.”<sup>13</sup>

The majority of the Court noted, however, that there can be little doubt that a state “furthers a constitutionally permissible end by encouraging an unmarried pregnant minor to seek the help and advice of her parents in making the very important decision whether or not to bear a child.”<sup>14</sup>

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<sup>8</sup> *Roe* at 155.

<sup>9</sup> *Id.* at 162.

<sup>10</sup> *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992).

<sup>11</sup> *Id.* at 878.

<sup>12</sup> *Planned Parenthood of Central Missouri v. Danforth*, 428 U.S. 52, 60 (1976).

<sup>13</sup> *Id.* at 74.

<sup>14</sup> *Id.* at 91.

***Bellotti v. Baird – A Framework for the Judicial Waiver of Parental Consent***

In the 1979 decision, *Bellotti v. Baird*,<sup>15</sup> the U.S. Supreme Court commented that “parental notice and consent are qualifications that typically may be imposed by the State on a minor’s right to make important decisions” because immature minors often lack the ability to take into account immediate and long-range consequences.<sup>16</sup>

Although the Court found the particular statute under review unconstitutional because it imposed an “undue burden” on a minor’s right to obtain an abortion, it outlined a path forward for parental consent laws to be held constitutional by establishing a judicial waiver of notice, also referred to as a judicial bypass procedure. The Court stated:

A pregnant minor is entitled in such a proceeding to show either: (1) that she is mature enough and well enough informed to make her abortion decision, in consultation with her physician, independently of her parents' wishes; or (2) that even if she is not able to make this decision independently, the desired abortion would be in her best interests. The proceeding in which this showing is made must assure that a resolution of the issue, and any appeals that may follow, will be completed with anonymity and sufficient expedition to provide an effective opportunity for an abortion to be obtained. In sum, the procedure must ensure that the provision requiring parental consent does not in fact amount to the “absolute, and possibly arbitrary, veto” that was found impermissible in *Danforth*.<sup>17</sup>

The Court concluded that “every minor must have the opportunity – if she so desires – to go directly to a court without first consulting or notifying her parents.”<sup>18</sup> Under the statutory scheme, however, the court may decline to sanction the abortion if it is not persuaded that the minor is mature or that the abortion is in her best interests.

***Planned Parenthood v. Casey***

The *Casey* decision mentioned earlier also addressed a one-parent consent statute that contained a judicial bypass procedure. With regard to the parental consent provision, the Court stated:

We have been over most of this ground before. Our cases establish, and we reaffirm today, that a State may require a minor seeking an abortion to obtain the consent of a parent or guardian, provided that there is an adequate judicial bypass procedure.<sup>19</sup>

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<sup>15</sup> *Bellotti v. Baird*, 443 U.S. 622 (1979)

<sup>16</sup> *Id.* at 640.

<sup>17</sup> *Bellotti*, 443 U.S. at 643, 644.

<sup>18</sup> *Id.* at 647.

<sup>19</sup> *Casey*, at 899.

### ***Lambert v. Wicklund – What a Valid Parental Consent Statute Must Contain***

In *Lambert v. Wicklund*, 520 U.S. 292, 295 (1997), the Court distilled the constitutional requirements for a judicial bypass procedure which it had set forth in 1992 in *Bellotti v. Baird*. As restated, a constitutional parental consent statute must:

- Allow the minor to bypass the consent requirement if she establishes that she is mature enough and well enough informed to make the abortion decision independently;
- Allow the minor to bypass the consent requirement if she establishes that the abortion would be in her best interests;
- Ensure the minor’s anonymity; and
- Provide for expeditious bypass procedures.

### **State Parental Involvement Laws for Minors – Parental Notice and Parental Consent**

Parental involvement statutes consist of parental *notice* laws and parental *consent* laws. Parental notice laws generally require that one parent, both parents, or a legal guardian be notified by a physician at least 24 or 48 hours before a minor may obtain and a physician may perform an abortion. The parent or legal guardian is not given “veto” authority over the minor’s decision to obtain an abortion. In contrast, parental consent laws generally require that one of a minor’s parents sign a consent form before a minor may obtain an abortion. Notice statutes are “less onerous” than consent statutes and, therefore, are less likely to constitute an undue burden on abortion rights.<sup>20</sup>

### ***44 States Have Enacted Parental Involvement Laws***

Abortion restrictions for minors vary significantly from state to state. According to data published by two opposing advocacy groups, the Guttmacher Institute,<sup>21</sup> a pro-choice group, and Americans for Life, a pro-life group,<sup>22</sup> and independent research, 44 states have enacted laws that require some form of parental involvement when a minor seeks an abortion. These laws can be placed within broad categories, but there are variations and exceptions that distinguish the enactments. The state laws may be categorized as follows:

- 20 states require some form of parental consent.
  - The 3 states that require the consent of *both* parents are: Kansas, Mississippi, and North Dakota.
  - The 17 states that require the consent of a single parent are: Alabama, Arizona, Arkansas, Idaho, Kentucky, Louisiana, Massachusetts,<sup>23</sup> Michigan, Missouri, Nebraska, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, and Wisconsin.
- 11 states require only parental notification. Those states are: Colorado, Delaware, Florida, Georgia, Illinois, Iowa, Maryland, Minnesota, New Hampshire, South Dakota, and West Virginia.

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<sup>20</sup> *Womancare of Orlando v. Agwunobi*, 448 F. Supp. 2d 1309, 1315 (N.D. Fla. 2006).

<sup>21</sup> Guttmacher Institute, *Parental Involvement in Minors’ Abortions*, <https://www.guttmacher.org/state-policy/explore/parental-involvement-minors-abortions>.

<sup>22</sup> Email from Katie Glenn, Americans United for Life (Nov. 20, 2019) (on file with the Senate Committee on Judiciary).

<sup>23</sup> According to the Massachusetts Judiciary Committee, SB 1209 and its companion, HB 3320, are pending before the Legislature. The bills eliminate the current requirement for minors to obtain parental consent before having an abortion.



- 5 states require both notice and consent. Those states are: Oklahoma, Texas, Utah, Virginia, and Wyoming.
- 7 states have passed laws that are temporarily or permanently enjoined. Those states are: Alaska, California, Indiana,<sup>24</sup> Montana, Nevada, New Jersey, and New Mexico.
- 1 state, Maine, has repealed its parental notification law.
- 6 states do not appear to have enacted parental involvement laws. Those states are: Connecticut, Hawaii, New York, Oregon, Vermont, and Washington.

According to the Guttmacher Institute, all of the states that require parental involvement provide for a judicial bypass procedure, except Maryland. There, a physician, has the discretion to provide an abortion if he or she believes that parental notification could lead to abuse of the minor, the minor is mature and capable of giving informed consent, or parental notice would not be in the best interest of the minor.<sup>25</sup>

## **Florida Abortion Law and Minors' Rights**

### ***The State Constitution's Privacy Provision***

The Florida Constitution contains an express privacy provision in Article 1, section 23. A similar provision is not found in the United States Constitution. The Florida Supreme Court has determined that the state provision guarantees “an independent right to privacy.”<sup>26</sup> As such, Florida courts have interpreted this provision to afford greater privacy rights than the privacy rights of the United States Constitution. The provision states:

Right of privacy.—Every natural person has the right to be let alone and free from governmental intrusion into the person's private life except as otherwise provided herein. This section shall not be construed to limit the public's right of access to public records and meetings as provided by law.

### ***1988 Parental Consent Law***

The Legislature amended the then existing termination of pregnancies statute in 1988 to include additional provisions to facilitate the ability of a minor to obtain an abortion without parental consent.<sup>27</sup>

### **Judicial Waiver of Notice or Judicial Bypass Procedure**

The termination of pregnancies statute, as amended, required an unmarried minor to provide a physician with her written request for an abortion and the written, informed consent of a parent, custodian, or legal guardian. However, as an alternative, the physician could rely on a circuit court order authorizing the abortion without the consent of a parent, custodian, or legal guardian, which is often referred to as a “judicial bypass procedure.” The court could authorize the abortion if it found:

- The minor is sufficiently mature to give informed consent;

<sup>24</sup> The parental consent law was blocked by the Seventh Circuit Court of Appeals on Aug. 27, 2019. *Planned Parenthood of Indiana and Kentucky, Inc. v. Adams*, 937 F. 3d 973 (7th Cir. 2019).

<sup>25</sup> Maryland Code, Health-General s. 20-103.

<sup>26</sup> *In re T.W.*, 551 So. 2d 1186, 1190 (1989).

<sup>27</sup> Chapter 88-97, s. 6, Laws of Fla.

- The parent, custodian, or legal guardian unreasonably withheld consent;
- The minor fears physical or emotional abuse if the parental authority were requested to consent; or
- Any other good cause shown.

Additionally, the statute provided that if the court found that the minor was not sufficiently mature, the court was required to determine the best interest of the minor and enter an order in accordance with that determination.

#### Procedural Safeguards

The statute required the circuit court to ensure that:

- The minor's identity would remain anonymous in the proceeding.
- She could participate in the court proceedings on her own or through someone acting on her behalf.
- The proceedings were confidential.
- The proceedings were to be conducted promptly and a decision issued within 48 hours after the petition was filed, but the minor could request an extension.
- An expedited anonymous appeal was available to the minor who requests it.

#### *In re T.W., A Minor - The Florida Supreme Court Held the Parental Consent Statute Invalid*

In 1989, in the case of *In re T.W.*, the Florida Supreme Court held the parental consent law unconstitutional. The Court determined that a woman's right to privacy, which includes the right to seek an abortion, also extends to a minor. The Court said the statute failed because it intruded upon the "privacy of the pregnant minor from conception to birth."<sup>28</sup> The Court concluded that, under the State Constitution, the state's interest in protecting the potentiality of life by regulating abortion becomes compelling upon viability.<sup>29</sup>

#### The Privacy Provision is Involved

The Court construed the State Constitution's privacy provision in the *In re T.W.*, decision. The Court stated that, when an abortion is involved:

Florida's privacy provision is clearly implicated in a woman's decision of whether or not to continue her pregnancy. We can conceive of few more personal or private decisions concerning one's body that one can make in the course of a lifetime, except perhaps the decision of the terminally ill in their choice of whether to discontinue necessary medical treatment.<sup>30</sup>

#### The "Compelling Interest Standard" Was Not Met

The Court concluded that, although a minor's rights are not absolute, when privacy rights are involved, the State must demonstrate that the consent statute furthers a "compelling" state interest through the least intrusive means. The state was not entitled to the more relaxed standard of demonstrating a "significant" state interest as required under federal court opinions interpreting the U.S. Constitution.

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<sup>28</sup> *In re T.W.*, at 1194.

<sup>29</sup> *In re T.W.*, at 1193-94.

<sup>30</sup> *Id.* at 1192.

The Court supported its determination that the compelling interest standard was not met by observing that other statutes allow a minor to consent, without parental approval, for some medical and surgical procedures other than abortion. The Court noted that parental consent was not required and that an unmarried minor could grant consent when she seeks medical treatment during her pregnancy, when she seeks services for her child, or when she places her child for adoption.<sup>31</sup>

#### The Least Intrusive Means Were Not Used

The Florida Supreme Court also found that the parental consent statute was not the least intrusive means of furthering a state interest because it did not provide adequate procedural safeguards. The Court noted three safeguards that should have been provided but were not:

- Legal counsel during the judicial waiver proceedings;
- A record of the hearing to memorialize the judge's reasons for denying a petition for waiver; and
- Exceptions from the consent requirement for emergency or therapeutic abortions."<sup>32</sup>

#### ***Parental Notice of Abortion Acts of 1999 and 2005***

The Legislature first enacted a Parental *Notice of Abortion Act* in 1999. As its name indicates, the Act required that a parent be given advance notice of a child's intent to have an abortion.<sup>33</sup> The statute was challenged in court on the basis that the law violated a minor's right to privacy under the Florida Constitution.<sup>34</sup> The Florida Supreme Court determined that the law violated the State Constitution's right to privacy because the minor was not given a method to "bypass" the parental notice requirement when certain circumstances existed.<sup>35</sup>

In response to the Florida Supreme Court's decision, the Legislature proposed a constitutional amendment that authorized the Legislature, notwithstanding a minor's right to privacy under the State Constitution, to require a physician to notify a minor's parent or guardian prior to an abortion. The amendment was ratified by the voters in 2004.<sup>36</sup>

After the adoption of the amendment, the Legislature passed another Parental Notice of Abortion Act in 2005.<sup>37</sup> In its current version, the statute requires an attending physician to give actual notice, in person or by phone, to a parent or legal guardian of the minor, at least 48 hours before

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<sup>31</sup> *Id.* at 1195.

<sup>32</sup> *Id.* at 1196.

<sup>33</sup> Chapter 99-322, Laws of Fla. (Creating s. 390.01115, F.S., effective July 1, 1999. A companion measure, the public records exemption bill that would shield identifying information of the minor, was passed that same session and became Chapter 99-321, Laws of Fla.).

<sup>34</sup> FLA. CONST., art. I s. 23.

<sup>35</sup> *North Florida Women's Health and Counseling Services v. State*, 866 So. 2d 612 (Fla. 2003).

<sup>36</sup> FLA. CONST. art. X. s. 22. The amendment states:

The Legislature shall not limit or deny the privacy right guaranteed to a minor under the United States Constitution as interpreted by the United States Supreme Court. Notwithstanding a minor's right of privacy provided in Section 23 of Article I, the Legislature is authorized to require by general law for notification to a parent or guardian of a minor before the termination of the minor's pregnancy. The Legislature shall provide exceptions to such requirement for notification and shall create a process for judicial waiver of the notification.

<sup>37</sup> Chapter 2005-52, s. 2, Laws of Fla.

the inducement or performance of a termination of a pregnancy on the minor.<sup>38</sup> If actual notice is not possible after a reasonable effort, the physician performing or inducing the termination of the pregnancy or the referring physician must give constructive notice.<sup>39</sup> Parental notice is not required under the Act if certain circumstances are present.<sup>40</sup> The act contains no criminal penalties for a physician who does not comply with the Act although a noncompliant physician may face administrative fines imposed by the Agency for Health Care Administration.

The constitutionality of the Parental Notice Act was challenged immediately in Federal District Court in *Womancare of Orlando, Inc. v. Agwunobi*.<sup>41</sup> The federal court upheld the constitutionality of the Act and dismissed the plaintiffs' claims that the Act violated due process rights, was unconstitutionally vague, and impermissibly burdened the rights of minors to seek an abortion.

### ***Judicial Waiver of Parental Notice or the Judicial Bypass Proceeding***

#### Venue

The Parental Notice of Abortion Act provides that a minor may petition the circuit court *where she resides* for a waiver of the notice requirements.<sup>42</sup> The issue of whether an out-of-state minor was precluded from obtaining a judicial waiver and an abortion under this language was addressed in a 2008 appellate decision.<sup>43</sup> The First District Court of Appeal decided that the language did not prohibit a minor from Georgia from obtaining a judicial waiver and an abortion in Florida. The court reasoned that the language addressed a "venue" provision and the statute was silent about the venue for nonresident minors and did not expressly prohibit nonresidents from seeking a judicial waiver or an abortion in the state. Accordingly, an out-of-state minor could seek the waiver and abortion in Florida.

#### The Process

To initiate the process, she may file the petition under a pseudonym or by using initials, as provided by court rule.<sup>44</sup> The petition must contain a statement that the petitioner is pregnant and notice has not been waived. The court must advise the petitioner that she has a right to court-appointed counsel, and must provide her with counsel, if she requests, at no cost to the young woman.<sup>45</sup>

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<sup>38</sup> Section. 390.01114(3)(a), F.S. and s. 390.01114(2)(a), F.S.

<sup>39</sup> Section 390.01114(3)(a), F.S. Constructive notice is defined as notice given in writing, signed by the physician, and mailed at least 72 hours before the procedure to the last known address of the parent or legal guardian of the minor, by first-class mail and by certified mail, return receipt requested with delivery restricted to the parent or legal guardian. Notice is deemed to have occurred after 72 hours have passed pursuant to s. 390.01114(2)(c). F.S.

<sup>40</sup> Parental notice is not necessary under s. 390.01114(3)(b), F.S., if: (1) In the good faith clinical judgment of the physician, a medical emergency exists and there is insufficient time for the attending physician to comply with the notification requirements; (2) Notice is waived in writing by the person entitled to notice and the waiver is notarized; (3) Notice is waived by the minor who is or has been married or has had the disability of nonage removed in compliance with law; (4) Notice is waived by the patient because she has a minor child dependent on her; or (5) Notice is waived by a circuit court in a judicial bypass proceeding according to statute.

<sup>41</sup> *Womancare of Orlando v. Agwunobi*, 448 F. Supp. 2d 1309 (N.D. Fla. 2006).

<sup>42</sup> Section 390.01114(4)(a), F.S.

<sup>43</sup> *In re Doe 07-B*, 973 So. 2d 627 (Fla. 1st DCA 2008).

<sup>44</sup> The Florida Rules of Juvenile Procedure that apply to judicial bypass proceedings are contained in FLA.R.JUV.P.Rule 8.800-Rule 8.840.

<sup>45</sup> *Id.*

When a minor initiates a judicial bypass proceeding in the circuit court, a private court-appointed attorney is available to represent her should she request counsel.<sup>46</sup> The statute is clear that private court-appointed counsel approved for this type of work are to be used first for minors who request counsel, but if no attorney is available through the clerk's list of attorneys, then the office of criminal conflict and civil regional counsel in that area will supply an attorney for the proceedings.<sup>47</sup> Court precedent interpreting the U.S. Constitution says it is essential that the office's records be exempt from public access.

Once a petition is filed, the court must rule and issue written findings of fact and conclusions of law within three business days after the petition is filed. This time period may be extended at the request of the minor.<sup>48</sup>

If the circuit court determines, by clear and convincing evidence, that the minor is sufficiently mature to decide whether to terminate her pregnancy, the court must issue an order authorizing the minor to consent to the abortion without the notification of a parent or guardian. If the court finds that the minor does not possess the requisite maturity to make that determination, it must dismiss the petition.<sup>49</sup> The court must issue an order authorizing the minor to consent to the performance or inducement of a termination of the pregnancy without notifying a parent or guardian if:

- The court determines by a preponderance of the evidence that the minor is a victim of child abuse or sexual abuse inflicted by her parent or guardian; or
- The court determines by clear and convincing evidence that the notification of a parent or guardian is not in her best interest.<sup>50</sup>

### **Florida Abortion Statistics**

While state laws specify what abortion data must be reported, there is no requirement that the state collect data documenting how many minors receive abortions. Therefore, it is unknown how many minors obtain abortions in the state annually. However, according to the Agency for Health Care Administration, 62,731 abortions or terminations of pregnancy were performed in Florida in 2019 as of October 30, 2019.<sup>51</sup> The agency reported that 70,239 terminations were performed in 2018 and 69,102 were reported in 2017.<sup>52</sup>

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<sup>46</sup> The chief judge of the circuit maintains a list of qualified attorneys in private practice, by county and by category of cases, and provides the list to the clerk of court in each county. Section 27.40(3)(a), F.S.

<sup>47</sup> Section 27.511(6)(a), F.S.

<sup>48</sup> Section 390.01114(4)(b)1., F.S. If the court does not rule within the required 3 business days and the minor has not requested an extension, the minor may immediately petition for a hearing with the chief judge of the circuit. The chief judge is responsible for guaranteeing that a hearing is held within 48 hours after the receipt of the minor's petition and an order must be entered within 24 hours after the hearing. If the circuit court does not grant a judicial waiver of the required parental notice, the minor has a right to appeal and that ruling must be issued within seven days after receipt of the appeal. Section 390.01114(4)(b)2., F.S.

<sup>49</sup> Section 390.01114(4)(c), F.S.

<sup>50</sup> Section 390.01114(4)(d), F.S.

<sup>51</sup> According to the Agency for Health Care Administration, this figure might include some abortions performed and reported in early November, 2019, but that is uncertain. Data reporting the total number of abortions performed in 2019 will not be posted until February 2020.

<sup>52</sup> Agency for Health Care Administration, *Abortion Data – Induced Terminations of Pregnancy [ITOP] Reports*, [https://ahca.myflorida.com/MCHQ/Central\\_Services/Training\\_Support/Reports.shtml](https://ahca.myflorida.com/MCHQ/Central_Services/Training_Support/Reports.shtml).

**Florida Statistics –Petitions filed by Minors for Judicial Bypass Waivers**

The Florida Supreme Court, through the Office of the State Courts Administrator, is required to report by February 1 of each year the number of petitions filed in the previous year by minors seeking judicial waiver of parental notice. According to these reports, during the last 10 years, there have been 3,017 petitions filed for a judicial waiver of notice. The courts have dismissed 206 of those petitions.<sup>53</sup> Accordingly, judicial waiver of notices are granted in approximately 92.7 percent of all requests. The data from those reports is summarized as follows:

<u>Year</u>	<u>Petitions Filed</u>	<u>Petitions Dismissed</u>	<u>Percentage of Petitions Dismissed</u>
2018	193	11	5.70
2017	224	18	8.04
2016	193	15	7.77
2015	245	13	5.31
2014	242	23 <sup>54</sup>	9.50
2013	319	33 <sup>55</sup>	10.34
2012	353	38 <sup>56</sup>	10.76
2011	391	18 <sup>57</sup>	4.60
2010	381	10	2.62
<u>2009</u>	<u>476</u>	<u>27</u>	<u>5.67</u>
Total	3,017	206	6.83

**III. Effect of Proposed Changes:**

CS/SB 404 creates the Parental Consent for Abortion Act in s. 390.01117, F.S.

**Consent of Parent of Legal Guardian Required - Subsections (3) and (4)**

The Act prohibits a physician from performing an abortion on an unemancipated minor younger than 18 years of age<sup>58</sup> unless the physician has received a notarized, written consent statement signed by the minor and her mother, father, or legal guardian. The statement must provide that the minor is pregnant, that she intends to seek an abortion, and that her parent or legal guardian consents to the abortion because the abortion is in her best interest. The consent requirement does not apply if:

<sup>53</sup> Florida Office of the State Courts Administrator, *Fiscal Years 2009-2018, Parental Notice of Abortion Act, Petitions Filed and Disposed by Circuit and County, January through December* (on file with the Senate Committee on Judiciary).

<sup>54</sup> Two counties each had one petition filed during calendar year 2013 that was disposed of during calendar year 2014.

<sup>55</sup> Two counties each had one petition filed during calendar year 2013 that was not disposed of during calendar year 2013.

<sup>56</sup> Three counties had a total of three petitions filed during calendar year 2011 that were disposed of during calendar year 2012.

<sup>57</sup> Two counties had a total of three petitions filed in calendar year 2011 that were not disposed of during calendar year 2011.

<sup>58</sup> An unemancipated minor is someone who has not reached full legal age. A minor is considered emancipated when he or she is independent of parental control, generally as the result of a court order or statute. BLACK’S LAW DICTIONARY (11th ed. 2019).

- The attending physician certifies in the minor's record that a medical emergency<sup>59</sup> exists and there is insufficient time to obtain consent; or
- Consent is waived because the minor successfully petitions the circuit court where she resides and receives a judicial waiver of the consent requirement.

### **Procedure for Judicial Waiver of Consent– Subsection (6)**

To obtain a judicial waiver of consent, which bypasses the need for parental consent, a minor must petition a circuit court in the area where she resides. She is permitted to participate in the proceedings on her own behalf. The petition must include a statement that she is pregnant and is unemancipated,<sup>60</sup> that consent from a parent or the legal guardian has not been obtained, and that she wishes to obtain an abortion without first obtaining consent.

### ***Minor's Right to Court-appointed Counsel, Guardian ad Litem***

The court must advise the minor that she has a right to court-appointed counsel, and must provide her with counsel upon her request. The court also may appoint a guardian ad litem for the minor who must maintain the confidentiality of the minor's identity. A county is not required to pay the salaries, costs, or expenses of any counsel appointed by the court. A minor may not be charged filing fees or court costs for a petition at either the trial or appellate level.

### ***Confidentiality***

The bill requires all court proceedings for the judicial waiver of consent to be confidential and ensure the anonymity of the minor. The minor may file her petition using a pseudonym or only her initials. All documents related to the petition are confidential, may not be made available to the public, and must be sealed. Additionally, all hearings, including appeals, under the bill must remain confidential and closed to the public as provided by court rule.

### ***Time-Sensitive Nature of Proceedings***

The bill also declares that the waiver petitions must be given precedence over other matters before the court and establishes accelerated timelines for the court to process petitions as follows:

- The circuit court must rule and issue written findings of fact and conclusions of law within 3 business days after the petition is filed, except that the timeline may be extended at the request of the minor.
- If the court fails to rule within 3 business days, the minor may immediately petition for a hearing to the chief judge who must ensure the hearing is held within 48 hours and that an order is entered within 24 hours after the hearing.
- If the waiver is not granted by the circuit court, the minor may appeal, and the appellate court must rule within 7 days after receipt of the appeal or remand the ruling to the circuit court.

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<sup>59</sup> A medical emergency is defined in s. 390.01114(2)(d), F.S., to mean a condition that, on the basis of a physician's good faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate the immediate termination of her pregnancy to avert her death, or for which a delay in the termination of her pregnancy will create serious risk of substantial and irreversible impairment of a major bodily function.

<sup>60</sup> A circuit court has jurisdiction to emancipate a minor residing in this state upon the filing of a petition under conditions and criteria found in ch. 743, F.S. An emancipated minor may be authorized by the court to perform all acts that the minor could perform if he or she were 18 years of age.

- If remanded, the circuit court must rule within 3 business days of the remand.
- If a ruling is overturned on appeal, the reason must be based on an abuse of discretion by the circuit court and may not be based on the weight of the evidence presented to the circuit court.
- The Florida Supreme Court may provide for an expedited appeal by rule for any minor to whom the circuit court denies a waiver. An order authorizing a waiver is not subject to appeal.

### ***Criteria to Consider for Granting a Judicial Waiver***

The court must issue an order waiving the parental consent requirement if the court finds, by clear and convincing evidence, that the minor is sufficiently mature to decide whether to terminate her pregnancy. In making the decision, the court must consider whether there may be any undue influence over the minor's decision by another, as well as the minor's:

- Age.
- Overall intelligence.
- Emotional development and stability.
- Credibility and demeanor as a witness.
- Ability to accept responsibility.
- Ability to assess both the immediate and long-range consequences of her choices.
- Ability to understand and explain the medical risks of terminating her pregnancy and to apply that understanding to her decision.

If the court does not make these findings, it must dismiss the minor's petition.

The court must also grant a waiver of the consent requirement if the court finds, by a preponderance of the evidence, that the minor is the victim of child or sexual abuse, as defined in s. 390.01114, F.S., inflicted by one or both parents or her guardian, or if the court finds, by clear and convincing evidence, that requiring consent is not in the best interest of the minor. Under the bill, the best-interest standard does not include the financial best interest, financial considerations, or the potential financial impact on the minor or her family if she does not terminate the pregnancy. If the court does not make these findings, it must dismiss the petition.

If the court finds evidence of child or sexual abuse of the minor by any person, the court must report the evidence of the abuse as provided in s. 39.201, F.S.

### ***Requirements for the Court***

A court that conducts proceedings under the bill must:

- Provide for a written transcript of all testimony and proceedings;
- Issue a final written order containing factual findings and legal conclusions supporting its decision, including factual findings and legal conclusions relating to the maturity of the minor; and
- Order that a confidential record be maintained.



**Florida Supreme Court Rulemaking Authority – Subsection (7)**

The bill also requests the Florida Supreme Court to adopt rules and forms for petitions to ensure that the judicial waiver of notice proceedings are handled expeditiously, are handled in a manner consistent with the bill, and protect the confidentiality of the minor's identity and the confidentiality of the proceedings.

**Criminal Penalties and Civil Liability - Subsection (8)**

The bill establishes criminal penalties and civil liability as follows:

- Any person who willfully and intentionally performs an abortion with knowledge that, or with reckless disregard as to whether the minor is unemancipated, without obtaining the necessary consent commits a first degree misdemeanor.<sup>61</sup> The bill provides that it is a defense to prosecution if the minor falsely represented her age or identity to the physician by displaying an apparently valid governmental record or identification such that a careful and prudent person would have relied on the representation. However, this defense does not apply if the physician is shown to have had independent knowledge of the minor's actual age or identity or if the physician failed to use due diligence in determining the minor's age or identity.
- Any person who provides consent who is not authorized to do so commits a misdemeanor of the first degree.
- Failure to obtain consent from a person from whom consent is required is prima facie evidence of failure to obtain consent and of interference with family relations in appropriate civil actions. Such prima facie evidence does not apply to any issue other than failure to obtain consent from the parent or legal guardian and interference with family relations in appropriate civil actions. The civil action may be based upon a claim that the act was a result of negligence, gross negligence, wantonness, willfulness, intention, or other legal standard of care. Exemplary damages may be awarded in appropriate civil actions relevant to violations of this section.
- Failure to comply with the requirements of the Parental Consent for Abortion Act constitutes grounds for disciplinary action under the physician's or osteopathic physician's practice act found in chapters 458 and 459, F.S., respectively, and s. 456.072, F.S., the grounds for discipline as administered by the authority of the Department of Health.

**Reporting Requirements – Subsection (5)**

The bill requires a physician who performs an abortion on a minor in the past calendar month to submit a monthly report to the Department of Health which must include the following information for each minor upon whom an abortion is performed:

- If the abortion was performed with consent;
- If the abortion was performed during a medical emergency that excepted the minor from the consent requirement and the nature of the medical emergency;
- If the abortion was performed with a judicial waiver of consent;
- Her age; and

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<sup>61</sup> A first degree misdemeanor is punishable by a fine not to exceed \$1,000 and imprisonment not to exceed 1 year, as provided in ss 775.083(1)(d) and 775.082(4)(a), F.S.

- The number of times she has been pregnant and the number of abortions that have been performed on her.

#### **Construction and Severability Clause– Subsections (9) and (10)**

The bill states that its provisions:

- May not be construed to create or recognize a right to abortion.
- May not be construed to limit the common law rights of parents or legal guardians.
- Are not intended to make lawful an abortion that is currently unlawful.

Additionally, if any provision of the bill is held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, the provision must be construed so as to give it the maximum effect permitted by law. However, if the holding is one of utter invalidity or unenforceability, the provision must be deemed severable and may not affect the remainder of the bill or the application of the provision to other persons not similarly situated or to other dissimilar circumstances.

The bill takes effect July 1, 2020.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

##### **D. State Tax or Fee Increases:**

None.

##### **E. Other Constitutional Issues:**

This bill's provisions may implicate the privacy rights established in Art. I, s. 23, of the Florida Constitution. For a discussion on the relevant case law, please see the "Present Situation" section of this analysis.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

CS/SB 404 may have an indeterminate fiscal on the Department of Health and on the State Courts System related to implementing the requirements established by the bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

CS/SB 404 does not repeal the existing Parental Notice of Abortion Act but leaves it in place. This may result in confusion as to how to interpret the Parental Notification and Parental Consent acts together because their requirements are different.

**VIII. Statutes Affected:**

This bill creates section 390.01117 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Health Policy on December 10, 2019:**

The CS defines the term “minor” as an unemancipated person younger than 18 years of age, whereas the underlying bill defined “minor” as a person under the age of 18 years.

**B. Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/16/2020	.	
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	.	
	.	

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The Committee on Judiciary (Stargel) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (e) of subsection (12) of section  
390.0111, Florida Statutes, is amended to read:

390.0111 Termination of pregnancies.—

(12) INFANTS BORN ALIVE.—

(e) A person who violates this subsection commits a felony  
of the third ~~misdemeanor of the first~~ degree, punishable as  
provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084. This



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12 subsection shall not be construed as a specific provision of law  
13 relating to a particular subject matter that would preclude  
14 prosecution of a more general offense, regardless of the  
15 penalty.

16 Section 2. Subsections (3), (4), (5), and (6) of section  
17 390.01114, Florida Statutes, are renumbered as subsections (4),  
18 (6), (7), and (8), respectively, subsection (1), paragraph (b)  
19 of present subsection (3), and present subsections (4), (5), and  
20 (6) are amended, and new subsections (3) and (5) are added to  
21 that section, to read:

22 390.01114 Parental Notice of and Consent for Abortion Act.-

23 (1) SHORT TITLE.-This section may be cited as the "Parental  
24 Notice of and Consent for Abortion Act."

25 (3) TERMINATION OF THE PREGNANCY OF A MINOR.-A physician  
26 may not perform or induce the termination of a pregnancy of a  
27 minor unless the physician has complied with the notice and  
28 consent requirements of this section.

29 (4)~~(3)~~ NOTIFICATION REQUIRED.-

30 (b) Notice is not required if:

31 1. In the physician's good faith clinical judgment, a  
32 medical emergency exists and there is insufficient time for the  
33 attending physician to comply with the notification  
34 requirements. If a medical emergency exists, the physician shall  
35 make reasonable attempts, whenever possible, without endangering  
36 the minor, to contact the parent or legal guardian, and may  
37 proceed, but must document reasons for the medical necessity in  
38 the patient's medical records. The physician shall provide  
39 notice directly, in person or by telephone, to the parent or  
40 legal guardian, including details of the medical emergency and



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41 any additional risks to the minor. If the parent or legal  
42 guardian has not been notified within 24 hours after the  
43 termination of the pregnancy, the physician shall provide notice  
44 in writing, including details of the medical emergency and any  
45 additional risks to the minor, signed by the physician, to the  
46 last known address of the parent or legal guardian of the minor,  
47 by first-class mail and by certified mail, return receipt  
48 requested, with delivery restricted to the parent or legal  
49 guardian;

50 2. Notice is waived in writing by the person who is  
51 entitled to notice and such waiver is notarized, dated not more  
52 than 30 days before the termination of pregnancy, and contains a  
53 specific waiver of the right of the parent or legal guardian to  
54 notice of the minor's termination of pregnancy;

55 3. Notice is waived by the minor who is or has been married  
56 or has had the disability of nonage removed under s. 743.015 or  
57 a similar statute of another state;

58 4. Notice is waived by the patient because the patient has  
59 a minor child dependent on her; or

60 5. Notice is waived under subsection (6) ~~(4)~~.

61 (5) PARENTAL CONSENT REQUIRED.—

62 (a) A physician must obtain written consent from a parent  
63 or legal guardian before performing or inducing the termination  
64 of a pregnancy of a minor.

65 1. The consenting parent or legal guardian shall provide to  
66 the physician a copy of a government-issued proof of  
67 identification and written documentation establishing that he or  
68 she is the lawful parent or legal guardian of the minor. The  
69 parent or legal guardian shall certify in a signed, dated,



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70 notarized statement, initialed on each page, that he or she  
71 consents to the termination of a pregnancy of the minor, and  
72 must include the following statement which must precede the  
73 signature of the parent or guardian: "I, (insert name of parent  
74 or legal guardian), am the parent or legal guardian of (insert  
75 name of minor) and give consent for (insert name of physician)  
76 to perform or induce a termination of pregnancy. Under penalties  
77 of perjury, I declare that I have read the foregoing statement  
78 and that the facts stated in it are true."

79 2. The physician shall keep a copy of the proof of  
80 identification of the parent or legal guardian and the certified  
81 statement in the medical file of the minor for 5 years after the  
82 minor reaches the age of 18 years, but in no event less than 7  
83 years.

84 3. A physician receiving consent from a parent or guardian  
85 under this section shall execute for inclusion in the medical  
86 record of the minor an affidavit stating: "I, (insert name of  
87 physician), certify that according to my best information and  
88 belief, a reasonable person under similar circumstances would  
89 rely on the information presented by both the minor and her  
90 parent or legal guardian as sufficient evidence of identity."

91 (b) The consent of a parent or guardian is not required if:

92 1. Notification is not required under subparagraphs

93 (4) (b) 1. and 3.-5.;

94 2. Notification is not required under subparagraph

95 (4) (b) 2., and the waiver contains a specific waiver of a parent  
96 or legal guardian to consent to the minor's termination of  
97 pregnancy and the parent or legal guardian provides a copy of a  
98 government-issued proof of identification and written



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99 documentation establishing that he or she is the lawful parent  
100 or legal guardian of the minor;

101 3. Consent is waived under subsection (6); or

102 4. In the physician's good faith clinical judgment, a  
103 medical emergency exists and there is insufficient time for the  
104 attending physician to comply with the consent requirement. If a  
105 medical emergency exists, the physician shall make reasonable  
106 attempts, whenever possible, without endangering the minor, to  
107 contact the parent or legal guardian of the minor, and may  
108 proceed, but must document reasons for the medical necessity in  
109 the patient's medical records. The physician shall inform the  
110 parent or legal guardian, in person or by telephone, within 24  
111 hours after the termination of the pregnancy of the minor,  
112 including details of the medical emergency that necessitated the  
113 termination of the pregnancy without the parent's or legal  
114 guardian's consent. The physician shall also provide this  
115 information in writing to the parent or legal guardian at his or  
116 her last known address, by first-class mail or by certified  
117 mail, return receipt requested, with delivery restricted to the  
118 parent or legal guardian.

119 (c)1. A physician who intentionally or recklessly performs  
120 or induces, or attempts to perform or induce, a termination of a  
121 pregnancy of a minor without obtaining the required consent  
122 pursuant to this subsection commits a felony of the third  
123 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
124 775.084. A penalty may not be assessed against the minor upon  
125 whom a termination of pregnancy is performed or induced or upon  
126 whom a termination of pregnancy is attempted to be performed or  
127 induced.





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128           2. It is a defense to prosecution that a minor  
129 misrepresented her age or identity to a physician by displaying  
130 a driver license or identification card issued by the state or  
131 another state that indicated that the minor was over 18 years of  
132 age and that the appearance of the minor was such that a  
133 reasonably prudent person would believe that the minor was not  
134 under the age of 18 years. The defense does not apply if the  
135 physician is shown to have had independent knowledge of the  
136 minor's actual age or identity or failed to use due diligence in  
137 determining the minor's age or identity.

138           (6)-(4) PROCEDURE FOR JUDICIAL WAIVER OF NOTICE.-

139           (a) A minor may petition any circuit court in which the  
140 minor resides for a waiver of the ~~notice~~ requirements of this  
141 section subsection (3) and may participate in proceedings on her  
142 own behalf. The petition may be filed under a pseudonym or  
143 through the use of initials, as provided by court rule. The  
144 petition must include a statement that the petitioner is  
145 pregnant and the requirements of this section have ~~notice has~~  
146 not been waived. The court shall advise the minor that she has a  
147 right to court-appointed counsel ~~and shall provide her with~~  
148 ~~counsel upon her request~~ at no cost to the minor. The court  
149 shall, upon request, provide counsel for the minor at least 24  
150 hours before the court proceeding.

151           (b)1. Court proceedings under this section subsection must  
152 be given precedence over other pending matters to the extent  
153 necessary to ensure that the court reaches a decision promptly.  
154 The court shall rule, and issue written findings of fact and  
155 conclusions of law, within 3 business days after the petition is  
156 filed, except that the 3-business-day limitation may be extended



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157 at the request of the minor. If the court fails to rule within  
158 the 3-business-day period and an extension has not been  
159 requested, the minor may immediately petition for a hearing upon  
160 the expiration of the 3-business-day period to the chief judge  
161 of the circuit, who must ensure a hearing is held within 48  
162 hours after receipt of the minor's petition and an order is  
163 entered within 24 hours after the hearing.

164 2. If the circuit court does not grant judicial waiver of  
165 the requirements of this section ~~notice~~, the minor has the right  
166 to appeal. An appellate court must rule within 7 days after  
167 receipt of appeal, but a ruling may be remanded with further  
168 instruction for a ruling within 3 business days after the  
169 remand. The reason for overturning a ruling on appeal must be  
170 based on abuse of discretion by the court and may not be based  
171 on the weight of the evidence presented to the circuit court  
172 since the proceeding is a nonadversarial proceeding.

173 (c) If the court finds, by clear and convincing evidence,  
174 that the minor is sufficiently mature to decide whether to  
175 terminate her pregnancy, the court shall issue an order  
176 authorizing the minor to consent to the performance or  
177 inducement of a termination of the pregnancy ~~without the~~  
178 ~~notification of a parent or guardian~~. If the court does not make  
179 the finding specified in this paragraph or paragraph (d), it  
180 must dismiss the petition. Factors the court shall consider  
181 include:

- 182 1. The minor's:
  - 183 a. Age.
  - 184 b. Overall intelligence.
  - 185 c. Emotional development and stability.



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186           d. Credibility and demeanor as a witness.  
187           e. Ability to accept responsibility.  
188           f. Ability to assess both the immediate and long-range  
189 consequences of the minor's choices.  
190           g. Ability to understand and explain the medical risks of  
191 terminating her pregnancy and to apply that understanding to her  
192 decision.  
193           2. Whether there may be any undue influence by another on  
194 the minor's decision to have an abortion.  
195           (d) If the court finds, by a preponderance of the evidence,  
196 that the petitioner is the victim of child abuse or sexual abuse  
197 inflicted by one or both of her parents or her guardian, or by  
198 clear and convincing evidence that the requirements of this  
199 section are ~~notification of a parent or guardian is~~ not in the  
200 best interest of the petitioner, the court shall issue an order  
201 authorizing the minor to consent to the performance or  
202 inducement of a termination of the pregnancy ~~without the~~  
203 ~~notification of a parent or guardian~~. The best-interest standard  
204 does not include financial best interest or financial  
205 considerations or the potential financial impact on the minor or  
206 the minor's family if the minor does not terminate the  
207 pregnancy. If the court finds evidence of child abuse or sexual  
208 abuse of the minor petitioner by any person, the court shall  
209 report the evidence of child abuse or sexual abuse of the  
210 petitioner, as provided in s. 39.201. If the court does not make  
211 the finding specified in this paragraph or paragraph (c), it  
212 must dismiss the petition.  
213           (e) A court that conducts proceedings under this section  
214 shall:



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215 1. Provide for a written transcript of all testimony and  
216 proceedings;

217 2. Issue a final written order containing factual findings  
218 and legal conclusions supporting its decision, including factual  
219 findings and legal conclusions relating to the maturity of the  
220 minor as provided under paragraph (c); and

221 3. Order that a confidential record be maintained, as  
222 required under s. 390.01116.

223 (f) All hearings under this section, including appeals,  
224 shall remain confidential and closed to the public, as provided  
225 by court rule.

226 (g) An expedited appeal shall be made available, as the  
227 Supreme Court provides by rule, to any minor to whom the circuit  
228 court denies a waiver of the requirements of this section  
229 ~~notice~~. An order authorizing a termination of pregnancy under  
230 this subsection ~~without notice~~ is not subject to appeal.

231 (h) Filing fees or court costs may not be required of any  
232 pregnant minor who petitions a court for a waiver of the  
233 requirements of this section ~~parental notification under this~~  
234 ~~subsection~~ at either the trial or the appellate level.

235 (i) A county is not obligated to pay the salaries, costs,  
236 or expenses of any counsel appointed by the court under this  
237 subsection.

238 (7) ~~(5)~~ PROCEEDINGS.—The Supreme Court is requested to adopt  
239 rules and forms for petitions to ensure that proceedings under  
240 subsection (6) ~~(4)~~ are handled expeditiously and in a manner  
241 consistent with this act. The Supreme Court is also requested to  
242 adopt rules to ensure that the hearings protect the minor's  
243 confidentiality and the confidentiality of the proceedings.



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244        (8) ~~(6)~~ REPORT.—The Supreme Court, through the Office of the  
245 State Courts Administrator, shall report by February 1 of each  
246 year to the Governor, the President of the Senate, and the  
247 Speaker of the House of Representatives on the number of  
248 petitions filed under subsection (6) ~~(4)~~ for the preceding year,  
249 and the timing and manner of disposal of such petitions by each  
250 circuit court. For each petition resulting in a waiver of the  
251 requirements of this section ~~notice~~, the reason for the waiver  
252 shall be included in the report.

253        Section 3. Paragraph (a) of subsection (6) of section  
254 27.511, Florida Statutes, is amended to read:

255        27.511 Offices of criminal conflict and civil regional  
256 counsel; legislative intent; qualifications; appointment;  
257 duties.—

258        (6) (a) The office of criminal conflict and civil regional  
259 counsel has primary responsibility for representing persons  
260 entitled to court-appointed counsel under the Federal or State  
261 Constitution or as authorized by general law in civil  
262 proceedings, including, but not limited to, proceedings under s.  
263 393.12 and chapters 39, 392, 397, 415, 743, 744, and 984 and  
264 proceedings to terminate parental rights under chapter 63.  
265 Private court-appointed counsel eligible under s. 27.40 have  
266 primary responsibility for representing minors who request  
267 counsel under s. 390.01114, the Parental Notice of and Consent  
268 for Abortion Act; however, the office of criminal conflict and  
269 civil regional counsel may represent a minor under that section  
270 if the court finds that no private court-appointed attorney is  
271 available.

272        Section 4. If any provision of this act or its application



355614

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

278 Section 5. This act shall take effect July 1, 2020.

279

280 ===== T I T L E A M E N D M E N T =====

281 And the title is amended as follows:

282 Delete everything before the enacting clause  
283 and insert:

284 A bill to be entitled  
285 An act relating to abortion; amending s. 390.0111,  
286 F.S.; reclassifying a criminal offense for a specified  
287 violation; amending s. 390.01114, F.S.; requiring a  
288 physician to obtain notarized written consent of a  
289 minor's parent or legal guardian before inducing or  
290 performing a termination of a pregnancy on the minor;  
291 providing exceptions to such consent requirement;  
292 providing criminal penalties; revising provisions  
293 relating to the procedures for judicial waiver to  
294 conform to changes made by the act; amending s.  
295 27.511, F.S.; conforming a provision to changes made  
296 by the act; providing severability; providing an  
297 effective date.



222526

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/16/2020	.	
	.	
	.	
	.	

---

The Committee on Judiciary (Gibson) recommended the following:

**Senate Amendment to Amendment (355614)**

1           Delete lines 224 - 225  
2  
3           and insert:  
4           shall be held in chambers and shall remain confidential,  
5           ensuring the anonymity and privacy of the minor ~~and closed to~~  
6           ~~the public, as provided by court rule.~~  
7



877690

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/16/2020	.	
	.	
	.	
	.	

---

The Committee on Judiciary (Gibson) recommended the following:

**Senate Amendment**

Delete line 151  
and insert:  
confidential and held in chambers and must ensure the anonymity  
of the minor. All



By the Committee on Health Policy; and Senators Stargel, Hutson, Harrell, Gruters, Mayfield, Baxley, Diaz, and Albritton

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1 A bill to be entitled  
 2 An act relating to parental consent for abortion;  
 3 creating s. 390.01117, F.S.; providing a short title;  
 4 defining terms; prohibiting a physician from  
 5 performing an abortion on a minor unless the physician  
 6 has been presented with consent from the minor's  
 7 parent or guardian, as appropriate; providing an  
 8 exception for a medical emergency; requiring a monthly  
 9 report to be filed by certain physicians with the  
 10 Department of Health on a form adopted by department  
 11 rule; requiring the department to compile data  
 12 collected from such forms and make it available on its  
 13 website; authorizing a minor to petition any circuit  
 14 court in which the minor resides for a waiver of  
 15 consent required to obtain an abortion; requiring a  
 16 specified statement to be included in the petition;  
 17 providing for court-appointed counsel and  
 18 confidentiality; requiring the court to give  
 19 preference to waiver of consent proceedings and  
 20 requiring a court to rule within a specified  
 21 timeframe; providing for an extension of time at the  
 22 request of the minor; authorizing a minor to petition  
 23 for a hearing upon the expiration of the time allowed  
 24 and requiring the chief judge of the circuit to ensure  
 25 that a hearing is held and that an order is entered  
 26 within specified timeframes; providing for appeals  
 27 within a specified timeframe; requiring the court to  
 28 dismiss the petition if it does not make specified  
 29 findings; requiring the court to consider undue

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30 influence on the minor's decision and specified  
 31 factors; requiring the court to report any findings of  
 32 evidence of child abuse or sexual abuse of the  
 33 petitioner; requiring a court to provide for a written  
 34 transcript of waiver of consent proceedings and  
 35 include certain findings and conclusions in its order;  
 36 prohibiting filing fees or costs for a minor who  
 37 petitions the court for a waiver of consent;  
 38 specifying that a county is not required to pay the  
 39 salaries, costs, or expenses of certain court-  
 40 appointed counsel; requesting the Supreme Court to  
 41 adopt certain rules and forms relating to waiver of  
 42 consent proceedings; providing criminal penalties and  
 43 disciplinary action; providing construction and  
 44 severability; providing an effective date.

45  
 46 WHEREAS, the United States Supreme Court has consistently  
 47 recognized that a state statute requiring parental consent to a  
 48 minor's abortion is constitutional if it provides a judicial  
 49 alternative in which the consent is waived if the minor is  
 50 mature enough to make the decision to obtain an abortion or if  
 51 the abortion is in the minor's best interest, and

52 WHEREAS, the medical, emotional, and psychological  
 53 consequences associated with having an abortion are serious and  
 54 can be long lasting, particularly when a patient is immature,  
 55 and

56 WHEREAS, the status of minors under the law is unique  
 57 because of their need for parental guidance and decisionmaking,  
 58 and

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59 WHEREAS, minors' disability of nonage defaults to a legal  
60 disability to contract which only the Legislature can remove,  
61 and such legislative removals of disability of nonage are  
62 codified in chapter 743, Florida Statutes, and

63 WHEREAS, while the laws of this state allow minors who are  
64 mothers to make life and death decisions for their children,  
65 there is a distinction between making day-to-day decisions for a  
66 child and deciding to abort a child, and

67 WHEREAS, the only circumstance in which medical decisions  
68 for a minor are not made by the minor's parents is when the  
69 minor is pregnant, and

70 WHEREAS, s. 743.065, Florida Statutes, allows unwed  
71 pregnant minors to make medical decisions relating to their  
72 pregnancies and allows them to consent to the performance of  
73 medical or surgical care of services for their children, except  
74 for decisions to terminate pregnancies, and

75 WHEREAS, the United States Supreme Court has determined  
76 that the constitutional rights of minors are not equal to the  
77 rights of adults because children are vulnerable and unable to  
78 make informed critical decisions and because of the unique role  
79 of parents in childrearing, and

80 WHEREAS, requiring parental consent for a minor to obtain  
81 an abortion will serve the interests of this state by protecting  
82 immature minors, preserving the family unit, and guarding the  
83 fundamental right of parents to raise their children, and

84 WHEREAS, the inclusion of provisions for a medical  
85 emergency exception to the consent requirement; the judicial  
86 waiver of consent process; the appointment of counsel for  
87 indigent minors; and procedural safeguards, including guidelines

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88 relating to admissible evidence and a required hearing within an  
89 extendable 3-day period after the filing of a petition for a  
90 judicial waiver of consent, are necessary to further the  
91 interests of this state, but accomplish this purpose by imposing  
92 the least restrictive means, NOW, THEREFORE,

93  
94 Be It Enacted by the Legislature of the State of Florida:

95  
96 Section 1. Section 390.01117, Florida Statutes, is created  
97 to read:

98 390.01117 Parental consent for abortion.-

99 (1) SHORT TITLE.-This section may be cited as the "Parental  
100 Consent for Abortion Act."

101 (2) DEFINITIONS.-As used in this section, the term:

102 (a) "Consent" means a notarized written statement signed by  
103 a minor and either her mother, her father, or her legal guardian  
104 declaring that the minor is pregnant, that she intends to seek  
105 an abortion, and that her mother, father, or legal guardian, as  
106 applicable, consents to the abortion because the abortion is in  
107 the best interest of the minor.

108 (b) "Minor" means an unemancipated person younger than 18  
109 years of age.

110 (3) CONSENT OF ONE PARENT OR GUARDIAN REQUIRED.-A physician  
111 may not perform an abortion on a minor unless the physician has  
112 been presented with consent as defined in this section.

113 (4) EXCEPTIONS.-Consent is not required under subsection  
114 (3) if the attending physician certifies in the minor's medical  
115 record that a medical emergency, as defined in s.  
116 390.01114(2)(d), exists and there is insufficient time to obtain

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117 consent or if consent is waived under subsection (6).  
 118 (5) REPORTS.—  
 119 (a) A physician who has performed an abortion on a minor in  
 120 the past calendar month shall submit a monthly report to the  
 121 department which must include the following information for each  
 122 minor upon whom an abortion was performed:  
 123 1. If the abortion was performed with consent;  
 124 2. If the abortion was performed during a medical emergency  
 125 that excepted the minor from the consent requirement, and the  
 126 nature of the medical emergency;  
 127 3. If the abortion was performed with a judicial waiver of  
 128 consent;  
 129 4. Her age; and  
 130 5. The number of times she has been pregnant and the number  
 131 of abortions that have been performed on her.  
 132 (b) The department shall adopt by rule a form to be used  
 133 for such monthly reports. Patient names may not be included on  
 134 the forms. The department shall prepare an annual compilation of  
 135 the data reported and make it available to the public on the  
 136 department website.  
 137 (6) PROCEDURE FOR JUDICIAL WAIVER OF CONSENT.—  
 138 (a) A minor may petition any circuit court in which the  
 139 minor resides for a waiver of the consent required to obtain an  
 140 abortion and may participate in proceedings on her own behalf.  
 141 The petition must include a statement that the minor is pregnant  
 142 and is unemancipated, that consent from a parent or a legal  
 143 guardian of the minor has not been obtained, and that the minor  
 144 wishes to obtain an abortion without first obtaining consent.  
 145 The circuit court shall advise the minor that she has a right to

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146 court-appointed counsel and shall provide her with counsel upon  
 147 her request. The court also may appoint a guardian ad litem for  
 148 the minor. A guardian ad litem appointed under this subsection  
 149 must maintain the confidentiality of the minor's identity.  
 150 (b) Court proceedings under this subsection shall be  
 151 confidential and must ensure the anonymity of the minor. All  
 152 court proceedings under this section shall be sealed. The minor  
 153 may file her petition in the court using a pseudonym or using  
 154 solely her initials. All documents related to this petition  
 155 shall be confidential and may not be made available to the  
 156 public. These proceedings shall be given precedence over other  
 157 pending matters to the extent necessary to ensure that the court  
 158 reaches a decision promptly. The court shall rule, and issue  
 159 written findings of fact and conclusions of law, within 3  
 160 business days after the petition is filed, except that the 3-  
 161 business-day limitation may be extended at the request of the  
 162 minor.  
 163 1. If the court fails to rule within the 3-business-day  
 164 period and an extension has not been requested, the minor may  
 165 immediately petition for a hearing upon the expiration of the 3-  
 166 business-day period to the chief judge of the circuit, who must  
 167 ensure that a hearing is held within 48 hours after receipt of  
 168 the minor's petition and that an order is entered within 24  
 169 hours after the hearing.  
 170 2. If the circuit court does not grant a judicial waiver of  
 171 consent, the minor has the right to an appeal. An appellate  
 172 court must rule within 7 days after receipt of the appeal, but a  
 173 ruling may be remanded with further instruction, in which case a  
 174 ruling must be made within 3 business days after the remand. The

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175 reason for overturning a ruling on appeal must be based on abuse  
 176 of discretion by the court and may not be based on the weight of  
 177 the evidence presented to the circuit court, since the  
 178 proceeding is a nonadversarial proceeding.

179 (c) If the court finds, by clear and convincing evidence,  
 180 that the minor is sufficiently mature to decide whether to  
 181 terminate her pregnancy, the court shall issue an order  
 182 authorizing the minor to obtain an abortion without the consent  
 183 of a parent or guardian. If the court does not make the finding  
 184 specified in this paragraph or paragraph (d), it must dismiss  
 185 the petition. The court shall consider whether there may be any  
 186 undue influence by another on the minor's decision to have an  
 187 abortion and all of the following factors concerning the minor:

- 188 1. Age.
- 189 2. Overall intelligence.
- 190 3. Emotional development and stability.
- 191 4. Credibility and demeanor as a witness.
- 192 5. Ability to accept responsibility.
- 193 6. Ability to assess both the immediate and long-range  
 194 consequences of her choices.
- 195 7. Ability to understand and explain the medical risks of  
 196 terminating her pregnancy and to apply that understanding to her  
 197 decision.

198 (d) If the court finds, by a preponderance of the evidence,  
 199 that the petitioner is the victim of child abuse or sexual  
 200 abuse, as those terms are defined in s. 390.01114(2), inflicted  
 201 by one or both of her parents or her guardian, or finds, by  
 202 clear and convincing evidence, that requiring the consent of a  
 203 parent or guardian is not in the best interest of the

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204 petitioner, the court shall issue an order authorizing the minor  
 205 to obtain an abortion without the consent of a parent or  
 206 guardian. The best-interest standard does not include financial  
 207 best interest or financial considerations or the potential  
 208 financial impact on the minor or her family if she does not  
 209 terminate the pregnancy. If the court finds evidence of child  
 210 abuse or sexual abuse of the petitioner by any person, the court  
 211 shall report the evidence of child abuse or sexual abuse of the  
 212 petitioner, as provided in s. 39.201. If the court does not make  
 213 the finding specified in this paragraph or paragraph (c), it  
 214 must dismiss the petition.

215 (e) A court that conducts proceedings under this section  
 216 shall:

- 217 1. Provide for a written transcript of all testimony and  
 218 proceedings;
- 219 2. Issue a final written order containing factual findings  
 220 and legal conclusions supporting its decision, including factual  
 221 findings and legal conclusions relating to the maturity of the  
 222 minor as provided under paragraph (c); and
- 223 3. Order that a confidential record be maintained.

224 (f) All hearings under this section, including appeals,  
 225 shall remain confidential and closed to the public, as provided  
 226 by court rule.

227 (g) An expedited appeal shall be made available, as the  
 228 Supreme Court provides by rule, to any minor to whom the circuit  
 229 court denies a waiver of consent. An order authorizing an  
 230 abortion without consent is not subject to appeal.

231 (h) Filing fees or court costs may not be required of any  
 232 minor who petitions a court for a waiver of consent under this

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233 subsection at either the trial or the appellate level.

234 (i) A county is not required to pay the salaries, costs, or  
 235 expenses of any counsel appointed by the court under this  
 236 subsection.

237 (7) RULEMAKING.—The Supreme Court is requested to adopt  
 238 rules and forms for petitions to ensure that proceedings under  
 239 subsection (6) are handled expeditiously and in a manner  
 240 consistent with this section. The Supreme Court is also  
 241 requested to adopt rules to ensure that the hearings protect the  
 242 confidentiality of the minor's identity and the confidentiality  
 243 of the proceedings.

244 (8) CRIMINAL PENALTIES AND CIVIL REMEDIES.—

245 (a) Any person who willfully and intentionally performs an  
 246 abortion with knowledge that, or with reckless disregard as to  
 247 whether, the minor upon whom the abortion is to be performed is  
 248 unemancipated without obtaining the required consent commits a  
 249 misdemeanor of the first degree, punishable as provided in s.  
 250 775.082 or s. 775.083. It is a defense to prosecution under this  
 251 section that the minor falsely represented her age or identity  
 252 to the physician to be at least 18 years of age by displaying an  
 253 apparently valid governmental record of identification such that  
 254 a careful and prudent person under similar circumstances would  
 255 have relied on the representation. The defense does not apply if  
 256 the physician is shown to have had independent knowledge of the  
 257 minor's actual age or identity or failed to use due diligence in  
 258 determining her age or identity.

259 (b) Any person not authorized to provide consent under this  
 260 section who provides consent commits a misdemeanor of the first  
 261 degree, punishable as provided in s. 775.082 or s. 775.083.

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262 (c) Failure to obtain consent from a person from whom  
 263 consent is required under this section is prima facie evidence  
 264 of failure to obtain consent and of interference with family  
 265 relations in appropriate civil actions. Such prima facie  
 266 evidence does not apply to any issue other than failure to  
 267 obtain consent from the parent or legal guardian and  
 268 interference with family relations in appropriate civil actions.  
 269 The civil action may be based on a claim that the act was a  
 270 result of negligence, gross negligence, wantonness, willfulness,  
 271 intention, or other legal standard of care. Exemplary damages  
 272 may be awarded in appropriate civil actions relevant to  
 273 violations of this section.

274 (d) Failure to comply with the requirements of this section  
 275 constitutes grounds for disciplinary action under each  
 276 respective practice act and under s. 456.072.

277 (9) CONSTRUCTION.—

278 (a) This section may not be construed to create or  
 279 recognize a right to abortion.

280 (b) This section may not be construed to limit the common  
 281 law rights of parents or legal guardians.

282 (c) By enacting this section, the Legislature does not  
 283 intend to make lawful an abortion that is currently unlawful.

284 (10) SEVERABILITY.—Any provision of this section held to be  
 285 invalid or unenforceable by its terms, or as applied to any  
 286 person or circumstance, shall be construed so as to give it the  
 287 maximum effect permitted by law, unless such holding is one of  
 288 utter invalidity or unenforceability, in which event such  
 289 provision shall be deemed severable and may not affect the  
 290 remainder hereof or the application of such provision to other

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291 persons not similarly situated or to other, dissimilar  
292 circumstances.

293 Section 2. This act shall take effect July 1, 2020.



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:  
Appropriations Subcommittee on  
Education, *Chair*  
Appropriations  
Education  
Ethics and Elections  
Finance and Tax  
Judiciary  
Rules

JOINT COMMITTEE:  
Joint Select Committee on Collective Bargaining

**SENATOR KELLI STARGEL**

22nd District

December 17, 2019

The Honorable David Simmons  
Senate Committee on Judiciary, Chair  
404 Senate Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Simmons:

I respectfully request that SB 404, related to *Parental Consent for Abortion*, be placed on the Judiciary meeting agenda at your earliest convenience.

Thank you for your consideration, and please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Kelli Stargel". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Kelli Stargel  
State Senator, District 22

Cc: Tom Cibula/Staff Director  
Joyce Butler/AA

REPLY TO:

- 2033 East Edgewood Drive, Suite 1, Lakeland, Florida 33803 (863) 668-3028
- 408 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5022

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BILL GALVANO**  
President of the Senate

**DAVID SIMMONS**  
President Pro Tempore

Email attachment from Katie Glenn, Americans United For Life, Nov. 20, 2019



## States with Parental Involvement Laws:

- Parental consent
  - Alabama (written consent + proof of relationship)
  - Arizona (written, notarized consent)
  - Arkansas (written, notarized consent + proof of relationship)
  - Idaho (written consent)
  - Kansas (written, notarized consent of both parents)
  - Kentucky (written consent)
  - Louisiana (written, notarized consent + proof of relationship)
  - Maine (written consent, unless the doctor finds the minor “competent” to give consent)
  - Massachusetts (written consent, but MA legislature is considering legislation that would repeal provision)
  - Michigan (written consent)
  - Mississippi (written consent of both parents, upheld by both federal courts and the Mississippi Supreme Court)
  - Missouri (written consent of at least one parent with notice provided to the other)
  - Nebraska (written, notarized consent)
  - North Carolina (written consent)
  - North Dakota (written consent of both parents)
  - Ohio (consent of one parent)
  - Oklahoma (written, notarized consent + proof of relationship)
  - Pennsylvania (consent of one parent)
  - Rhode Island (consent of one parent)
  - South Carolina (written consent)
  - Tennessee (written consent)
  - Texas (written, notarized consent)
  - Utah (consent of one parent)
  - Virginia (written consent)
  - Wisconsin (written consent)
  - Wyoming (consent of one parent)
  
- Parental notice
  - Colorado (48 hour written notice)
  - Delaware (24 hour notice)
  - Florida (48 hour notice) (previous parental involvement law was struck down by state Supreme Court because there is a broader right to abortion in the state constitution)
  - Georgia (24 hour notice in person/phone)
  - Illinois (48 hour notice to parent or other adult family member)
  - Iowa (48 hour notice to parent or grandparent)
  - Maryland (notice, unless the doctor finds the minor “competent”)
  - Minnesota (48 hour notice to both parents)
  - South Dakota (48 hour written notice)

- West Virginia (48 hours actual notice, unless the doctor finds the minor “mature enough” to make the decision independently)

Legal challenges to parental involvement laws:

- Alaska—parental notice law was struck down under the state constitution in 2016.
- California—parental consent law was struck down under the state constitution in 1997.
- Indiana—parental consent law in enjoined and in ongoing litigation.
- Montana—parental written consent law was struck down under the state constitution in 2014.
- New Mexico—state AG said parental notice law was unenforceable
- Nevada—parental notice law was struck down under the state constitution in 1985.
- New Jersey—parental notice law struck down under the state constitution in 2000.

No law:

- Connecticut
- Hawaii
- New Hampshire
- New York
- Oregon
- Vermont
- Washington

**Parental Notice of Abortion Act  
Petitions Filed and Disposed**

By Circuit and County, January through December 2018<sup>1</sup>

Circuit	County	Total Petitions Filed	Total Petitions Disposed <sup>2</sup>	Total Granted Petitions					Petitions Disposed					Total Dismissed Petitions	
				Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Court finds the petitioner is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Dismissed after the minor petitioned the Chief Judge	Total			
													Court finds the petitioner is sufficiently mature	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>
19	Indian River	4	4	3	1	0	0	0	0	0	0	1	0	1	
	Martin	4	4	1	0	0	0	0	0	0	0	3	0	3	
	Okeechobee	1	1	1	0	1	0	0	0	0	0	0	0	0	
	St. Lucie	4	4	4	0	0	4	0	0	0	0	0	0	0	
	<b>Circuit Total</b>	<b>13</b>	<b>13</b>	<b>9</b>	<b>1</b>	<b>1</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>4</b>	
	<b>State Total</b>	<b>193</b>	<b>193</b>	<b>155</b>	<b>3</b>	<b>80</b>	<b>182</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>11</b>	
20	Charlotte	2	2	0	0	2	0	0	0	0	0	0	0	0	
	Collier	2	2	2	0	1	0	0	0	0	0	0	0	0	
	Glades	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Hendry	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Lee	2	2	2	0	2	2	0	0	0	0	0	0	0	
	<b>Circuit Total</b>	<b>6</b>	<b>6</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>State Total</b>	<b>193</b>	<b>193</b>	<b>155</b>	<b>3</b>	<b>80</b>	<b>182</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>11</b>		

<sup>1</sup>The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

<sup>2</sup>The Total Petitions Disposed is the sum of Total Granted Petitions, Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period, and Total Dismissed Petitions.

<sup>3</sup>More than one disposition category may occur with Total Granted Petitions and Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three day period. As a result, the Total may not be the sum of: 1) Court finds minor is sufficiently mature; 2) Court finds the petitioner is the victim of child abuse or sexual abuse; and 3) Court finds the notification of a parent or guardian is not in the best interest.

<sup>4</sup>Dixie County has not reported data from October through December 2018.

**Parental Notice of Abortion Act**  
**Petitions Filed and Disposed**  
**By Circuit and County, January through December 2017<sup>1</sup>**

Circuit	County	Total Petitions Filed	Total Petitions Disposed <sup>2</sup>	Total Granted Petitions					Petitions Disposed					Total Dismissed Petitions		
				Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Dismissed	Dismissed after the minor petitioned the Chief Judge	Total		
															Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period.	
19	Indian River	4	4	4	0	0	0	4	0	0	0	0	0	0	0	0
	Martin	4	4	2	0	0	0	2	0	0	0	0	2	0	0	2
	Okeechobee	2	2	1	0	1	1	1	0	0	0	0	1	1	0	1
	St. Lucie	5	5	4	0	1	3	3	1	0	1	1	1	0	0	1
	<b>Circuit Total</b>	<b>15</b>	<b>15</b>	<b>11</b>	<b>0</b>	<b>2</b>	<b>10</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>4</b>
	20	Charlotte	1	1	1	0	1	1	0	0	0	0	0	0	0	0
	Collier	2	2	2	0	0	2	0	0	0	0	0	0	0	0	0
	Glades	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Herndy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Lee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	<b>Circuit Total</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>State Total</b>	<b>224</b>	<b>224</b>	<b>193</b>	<b>2</b>	<b>62</b>	<b>205</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>13</b>	

<sup>1</sup>The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

<sup>2</sup>The Total Petitions Disposed is the sum of Total Granted Petitions, Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period, and Total Dismissed Petitions.

<sup>3</sup>More than one disposition category may occur with Total Granted Petitions and Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three day period. As a result, the Total may not be the sum of: 1) Court finds minor is sufficiently mature; 2) Court finds the petitioner is the victim of child abuse or sexual abuse; and 3) Court finds the notification of a parent or guardian is not in the best interest.

**Parental Notice of Abortion Act**  
**Petitions Filed and Disposed**  
**By Circuit and County, January through December 2016<sup>1</sup>**

Circuit	County	Total Petitions Filed	Total Petitions Disposed <sup>2</sup>	Total Granted Petitions					Petitions Disposed					Total Dismissed Petitions		
				Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Dismissed after the minor petitioned the Chief Judge	Dismissed after the expiration of the three (3) day period.	Total		
19	Indian River	3	3	3	0	1	3	0	0	0	0	0	0	0	0	
	Martin	5	5	5	0	0	5	0	0	0	0	0	0	0	0	
	Okeechobee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	St. Lucie	6	6	4	0	0	4	0	0	0	0	0	2	0	2	
	<b>Circuit Total</b>	<b>14</b>	<b>14</b>	<b>12</b>	<b>0</b>	<b>1</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	
	20	Charlotte	2	2	2	0	0	2	0	0	0	0	0	0	0	0
	Collier	2	2	2	0	0	2	0	0	0	0	0	0	0	0	
	Glades	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Herndry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Lee	5	5	4	0	4	4	0	0	1	1	0	0	0	0	
	<b>Circuit Total</b>	<b>9</b>	<b>9</b>	<b>8</b>	<b>0</b>	<b>4</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>State Total</b>	<b>193</b>	<b>193</b>	<b>156</b>	<b>3</b>	<b>45</b>	<b>177</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>15</b>	<b>0</b>	<b>15</b>		

<sup>1</sup>The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

<sup>2</sup>The Total Petitions Disposed is the sum of Total Granted Petitions, Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period, and Total Dismissed Petitions.

<sup>3</sup>More than one disposition category may occur with Total Granted Petitions and Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three day period. As a result, the Total may not be the sum of: 1) Court finds minor is sufficiently mature; 2) Court finds the petitioner is the victim of child abuse or sexual abuse; and 3) Court finds the notification of a parent or guardian is not in the best interest.

**Parental Notice of Abortion Act**  
**Petitions Filed and Disposed**  
**By Circuit and County, January through December 2015<sup>1</sup>**

Circuit	County	Total Petitions Filed	Total Petitions Disposed <sup>2</sup>	Total Granted Petitions					Petitions Disposed					Total Dismissed Petitions	
				Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Dismissed	Dismissed after the minor petitioned the Chief Judge	Total	
19	Indian River	1	1	1	0	0	1	0	0	0	0	0	0	0	0
	Martin	3	3	3	0	0	0	3	0	0	0	0	0	0	0
	Okeechobee	1	1	1	0	1	1	1	0	0	0	0	0	0	0
	St. Lucie	4	4	3	0	0	0	3	0	0	0	0	1	0	1
	<b>Circuit Total</b>	<b>9</b>	<b>9</b>	<b>8</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>
	Charlotte	3	3	3	0	0	0	3	0	0	0	0	0	0	0
20	Collier	6	6	6	0	0	0	6	0	0	0	0	0	0	0
	Glades	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Hendry	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Lee	3	3	3	0	0	0	3	0	0	0	0	0	0	0
	<b>Circuit Total</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>State Total</b>	<b>245</b>	<b>245</b>	<b>212</b>	<b>8</b>	<b>47</b>	<b>232</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>0</b>	<b>13</b>		

<sup>1</sup>The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

<sup>2</sup>The Total Petitions Disposed is the sum of Total Granted Petitions, Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period, and Total Dismissed Petitions.

<sup>3</sup>More than one disposition category may occur with Total Granted Petitions and Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three day period. As a result, the Total may not be the sum of: 1) Court finds minor is sufficiently mature; 2) Court finds the petitioner is the victim of child abuse or sexual abuse; and 3) Court finds the notification of a parent or guardian is not in the best interest.

**Parental Notice of Abortion Act**  
**Petitions Filed and Disposed**  
**By Circuit and County, January through December 2014<sup>1</sup>**

		Petitions Disposed												
		Total Granted Petitions					Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period.					Total Dismissed Petitions		
Circuit	County	Total Petitions Filed	Total Petitions Disposed <sup>2</sup>	Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Dismissed	Dismissed after the minor petitioned the Chief Judge	Total
19	Indian River	2	2	1	0	1	1	0	0	0	0	1	0	1
	Martin	4	4	4	0	0	4	0	0	0	0	0	0	0
	Okeechobee	1	1	1	0	1	1	0	0	0	0	0	0	0
	St. Lucie	6	6	4	0	0	4	0	0	0	0	2	0	2
	<b>Circuit Total</b>	<b>13</b>	<b>13</b>	<b>10</b>	<b>0</b>	<b>2</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>
	20	Charlotte	0	0	0	0	0	0	0	0	0	0	0	0
	Collier	2	2	2	0	0	2	0	0	0	0	0	0	0
	Glades	0	0	0	0	0	0	0	0	0	0	0	0	0
	Hendry	0	0	0	0	0	0	0	0	0	0	0	0	0
	Lee	2	2	2	0	0	2	0	0	0	0	0	0	0
	<b>Circuit Total</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>State Total</b>	<b>242</b>	<b>244</b>	<b>207</b>	<b>3</b>	<b>34</b>	<b>219</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>23</b>	<b>0</b>	<b>23</b>

<sup>1</sup>The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

<sup>2</sup>The Total Petitions Disposed is the sum of **Total Granted Petitions**, **Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period**, and **Total Dismissed Petitions**.

<sup>3</sup>More than one disposition category may occur with Total Granted Petitions and Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three day period. As a result, the Total may not be the sum of: 1) Court finds minor is sufficiently mature; 2) Court finds the petitioner is the victim of child abuse or sexual abuse; and 3) Court finds the notification of a parent or guardian is not in the best interest.

<sup>4</sup>Both Pasco and Manatee Counties had one petition filed during calendar year 2013 that was disposed during calendar year 2014.

## Parental Notice of Abortion Act Petitions Filed and Disposed

By Circuit and County, January through December 2013<sup>1</sup>

		Petitions Disposed												
		Total Granted Petitions					Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period.					Total Dismissed Petitions		
Circuit	County	Total Petitions Filed	Total Petitions Disposed <sup>2</sup>	Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Dismissed	Dismissed after the minor petitioned the Chief Judge	Total
19	County	1	1	0	0	0	0	0	0	0	0	1	0	1
	Indian River	4	4	3	0	1	4	0	0	0	0	0	0	0
	Martin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Okeechobee	0	0	0	0	0	0	0	0	0	0	0	0	0
	St. Lucie	3	3	1	0	1	2	0	0	0	0	2	0	2
	Circuit Total	8	8	4	0	2	6	0	0	0	0	1	0	1
20	County	1	1	0	0	0	0	0	0	0	0	0	0	0
	Charlotte	1	1	0	0	0	0	0	0	0	0	0	0	0
	Collier	5	5	4	0	3	5	0	0	0	0	0	0	0
	Glades	0	0	0	0	0	0	0	0	0	0	0	0	0
	Hendry	0	0	0	0	0	0	0	0	0	0	0	0	0
	Lee	3	3	3	0	3	3	0	0	0	0	1	0	1
	Circuit Total	9	9	7	0	6	8	0	0	0	0	3	0	3
	State Total	319	317	241	6	82	283	1	0	0	1	33	0	33

<sup>1</sup>The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

<sup>2</sup>The Total Petitions Disposed is the sum of Total Granted Petitions, Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period, and Total Dismissed Petitions.

<sup>3</sup>More than one disposition category may occur with Total Granted Petitions and Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three day period. As a result, the Total may not be the sum of: 1) Court finds minor is sufficiently mature; 2) Court finds the petitioner is the victim of child abuse or sexual abuse; and 3) Court finds the notification of a parent or guardian is not in the best interest.

<sup>4</sup>Both Pasco and Manatee Counties had one petition filed during calendar year 2013 that was not disposed during calendar year 2013.



**Parental Notice of Abortion Act  
Petitions Filed and Disposed**

By Circuit and County, January through December 2012<sup>1</sup>

Circuit	County	Total Petitions Filed	Total Petitions Disposed <sup>2</sup>	Total Granted Petitions				Petitions Disposed				Total Dismissed Petitions		
				Court finds minor is sufficiently mature	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period.	Court finds the petitioner is the victim of child abuse or sexual abuse	Court finds the notification of a parent or guardian is not in the best interest	Total <sup>3</sup>	Dismissed after the minor petitioned the Chief Judge	Total	
														Court finds minor is sufficiently mature
19	Indian River	4	4	1	0	0	1	0	0	0	0	0	3	
	Martin	4	4	4	0	0	4	0	0	0	0	0	0	
	Okechobee	1	1	1	0	0	1	0	0	0	0	0	0	
	St. Lucie	10	10	9	0	0	10	0	0	0	0	0	0	
	<b>Circuit Total</b>	<b>19</b>	<b>19</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>3</b>
	<b>State Total</b>	<b>11</b>	<b>13</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>38</b>
20	Charlotte	1	1	1	0	0	1	0	0	0	0	0	1	
	Collier <sup>4</sup>	4	6	5	0	0	5	0	0	0	0	0	0	
	Glades	0	0	0	0	0	0	0	0	0	0	0	0	
	Henry	0	0	0	0	0	0	0	0	0	0	0	0	
	Lee	6	6	2	0	0	3	1	0	1	1	2	2	
	<b>Circuit Total</b>	<b>11</b>	<b>13</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>38</b>
<b>State Total</b>	<b>353</b>	<b>356</b>	<b>258</b>	<b>1</b>	<b>80</b>	<b>317</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>35</b>	<b>3</b>	<b>38</b>		

<sup>1</sup>The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

<sup>2</sup>The Total Petitions Disposed is the sum of Total Granted Petitions, Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three (3) day period, and Total Dismissed Petitions.

<sup>3</sup>More than one disposition category may occur with Total Granted Petitions and Total Granted Petitions after the minor petitioned the Chief Judge for a hearing after the expiration of the three day period. As a result, the Total may not be the sum of: 1) Court finds minor is sufficiently mature; 2) Court finds the petitioner is the victim of child abuse or sexual abuse; and 3) Court finds the notification of a parent or guardian is not in the best interest.

<sup>4</sup>Duval County had one petition filed during calendar year 2011 and disposed during calendar year 2012. Collier County had two petitions filed during calendar year 2011 disposed during calendar year 2012.

Parental Notice of Abortion Act  
 Petitions Filed and Disposed  
 By Circuit and County, January through December 2011<sup>1</sup>

Circuit	County	Petitions Filed	Petitions Disposed - Granted	Petitions Disposed - Dismissed	Petitions Disposed - Granted without Judicial Order <sup>2</sup>	Total Petitions Disposed
18	Brevard	7	5	2	0	7
	Seminole	6	5	1	0	6
	<b>Total</b>	<b>13</b>	<b>10</b>	<b>3</b>	<b>0</b>	<b>13</b>
19	Indian River	2	1	1	0	2
	Martin	1	1	0	0	1
	Okeechobee	0	0	0	0	0
	St. Lucie	9	9	0	0	9
	<b>Total</b>	<b>12</b>	<b>11</b>	<b>1</b>	<b>0</b>	<b>12</b>
20	Charlotte	0	0	0	0	0
	Collier <sup>4</sup>	5	3	0	0	3
	Glades	0	0	0	0	0
	Hendry	1	1	0	0	1
	Lee	5	4	1	0	5
	<b>Total</b>	<b>11</b>	<b>8</b>	<b>1</b>	<b>0</b>	<b>9</b>
<b>State Total</b>		<b>391</b>	<b>369</b>	<b>18</b>	<b>1</b>	<b>388</b>

<sup>1</sup>The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

<sup>2</sup>48 hours expired without order being entered by the court.

<sup>3</sup>Duval County has one petition that was not disposed during calendar year 2011.

<sup>4</sup>Collier County has two petitions that were not disposed during calendar year 2011.

Parental Notice of Abortion Act  
 Petitions Filed and Disposed  
 By Circuit and County, January through December 2010\*

Circuit	County	Petitions Filed	Petitions Disposed - Granted	Petitions Disposed - Dismissed	Petitions Disposed - Granted without Judicial Order**	Total Petitions Disposed
1	Escambia	5	4	1	0	5
	Okaloosa	2	2	0	0	2
	Santa Rosa	0	0	0	0	0
	Walton	0	0	0	0	0
	<b>Total</b>	<b>7</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>7</b>
2	Franklin	0	0	0	0	0
	Gadsden	0	0	0	0	0
	Jefferson	0	0	0	0	0
	Leon	3	3	0	0	3
	Liberty	0	0	0	0	0
	Wakulla	1	1	0	0	1
	<b>Total</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>4</b>
3	Columbia	0	0	0	0	0
	Dixie	0	0	0	0	0
	Hamilton	0	0	0	0	0
	Lafayette	0	0	0	0	0
	Madison	0	0	0	0	0
	Suwannee	0	0	0	0	0
	Taylor	0	0	0	0	0
	<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
4	Clay	1	1	0	0	1
	Duval	16	16	0	0	16
	Nassau	1	1	0	0	1
	<b>Total</b>	<b>18</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>18</b>
5	Citrus	1	1	0	0	1
	Hernando	0	0	0	0	0
	Lake	3	3	0	0	3
	Marion	7	7	0	0	7
	Sumter	0	0	0	0	0
	<b>Total</b>	<b>11</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>11</b>
6	Pasco	9	9	0	0	9
	Pinellas	7	7	0	0	7
	<b>Total</b>	<b>16</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>16</b>

Circuit	County	Petitions Filed	Petitions Disposed - Granted	Petitions Disposed - Dismissed	Petitions Disposed - Granted without Judicial Order**	Total Petitions Disposed
7	Flagler	1	1	0	0	1
	Putnam	0	0	0	0	0
	St. Johns	0	0	0	0	0
	Volusia	5	4	1	0	5
	<b>Total</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>6</b>
8	Alachua	6	6	0	0	6
	Baker	0	0	0	0	0
	Bradford	0	0	0	0	0
	Gilchrist	0	0	0	0	0
	Levy	0	0	0	0	0
	Union	0	0	0	0	0
	<b>Total</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>6</b>
9	Orange	41	41	0	0	41
	Osceola	2	2	0	0	2
	<b>Total</b>	<b>43</b>	<b>43</b>	<b>0</b>	<b>0</b>	<b>43</b>
10	Hardee	0	0	0	0	0
	Highlands	1	1	0	0	1
	Polk	5	4	1	0	5
	<b>Total</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>6</b>
11	Dade	118	118	0	0	118
	<b>Total</b>	<b>118</b>	<b>118</b>	<b>0</b>	<b>0</b>	<b>118</b>
12	Desoto	0	0	0	0	0
	Manatee	2	2	0	0	2
	Sarasota	6	6	0	0	6
	<b>Total</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>8</b>
13	Hillsborough	12	12	0	0	12
	<b>Total</b>	<b>12</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>12</b>
14	Bay	2	2	0	0	2
	Calhoun	0	0	0	0	0
	Gulf	0	0	0	0	0
	Holmes	0	0	0	0	0
	Jackson	0	0	0	0	0
	Washington	0	0	0	0	0
	<b>Total</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>
15	Palm Beach	44	44	0	0	44
	<b>Total</b>	<b>44</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>44</b>
16	Monroe	0	0	0	0	0
	<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Circuit	County	Petitions Filed	Petitions Disposed - Granted	Petitions Disposed - Dismissed	Petitions Disposed - Granted without Judicial Order**	Total Petitions Disposed
17	Broward	56	51	5	0	56
	<b>Total</b>	<b>56</b>	<b>51</b>	<b>5</b>	<b>0</b>	<b>56</b>
18	Brevard	4	4	0	0	4
	Seminole	7	6	1	0	7
	<b>Total</b>	<b>11</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>11</b>
19	Indian River	3	3	0	0	3
	Martin	4	4	0	0	4
	Okeechobee	0	0	0	0	0
	St. Lucie	3	3	0	0	3
	<b>Total</b>	<b>10</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>10</b>
20	Charlotte	0	0	0	0	0
	Collier	0	0	0	0	0
	Glades	0	0	0	0	0
	Hendry	1	0	1	0	1
	Lee	2	2	0	0	2
	<b>Total</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>3</b>
<b>State Total</b>		<b>381</b>	<b>371</b>	<b>10</b>	<b>0</b>	<b>381</b>

\*The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

\*\*48 hours expired without order being entered by the court.

Parental Notice of Abortion Act  
 Petitions Filed and Disposed  
 By Circuit and County, January through December 2009\*

Circuit	County	Petitions Filed	Petitions Disposed - Granted	Petitions Disposed - Dismissed	Petitions Disposed - Granted without Judicial Order**	Total Petitions Disposed
1	Escambia	3	3	0	0	3
	Okaloosa	0	0	0	0	0
	Santa Rosa	0	0	0	0	0
	Walton	0	0	0	0	0
	<b>Total</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>3</b>
2	Franklin	0	0	0	0	0
	Gadsden	0	0	0	0	0
	Jefferson	0	0	0	0	0
	Leon	2	2	0	0	2
	Liberty	0	0	0	0	0
	Wakulla	0	0	0	0	0
	<b>Total</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>
3	Columbia	0	0	0	0	0
	Dixie	0	0	0	0	0
	Hamilton	0	0	0	0	0
	Lafayette	0	0	0	0	0
	Madison	0	0	0	0	0
	Suwannee	0	0	0	0	0
	Taylor	0	0	0	0	0
	<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
4	Clay	1	1	0	0	1
	Duval	20	16	4	0	20
	Nassau	0	0	0	0	0
	<b>Total</b>	<b>21</b>	<b>17</b>	<b>4</b>	<b>0</b>	<b>21</b>
5	Citrus	0	0	0	0	0
	Hernando	1	1	0	0	1
	Lake	8	5	2	1	8
	Marion	14	13	1	0	14
	Sumter	0	0	0	0	0
	<b>Total</b>	<b>23</b>	<b>19</b>	<b>3</b>	<b>1</b>	<b>23</b>
6	Pasco	11	11	0	0	11
	Pinellas	13	13	0	0	13
	<b>Total</b>	<b>24</b>	<b>24</b>	<b>0</b>	<b>0</b>	<b>24</b>

Circuit	County	Petitions Filed	Petitions Disposed - Granted	Petitions Disposed - Dismissed	Petitions Disposed - Granted without Judicial Order**	Total Petitions Disposed
7	Flagler	0	0	0	0	0
	Putnam	3	2	1	0	3
	St. Johns	0	0	0	0	0
	Volusia	19	18	1	0	19
	<b>Total</b>	<b>22</b>	<b>20</b>	<b>2</b>	<b>0</b>	<b>22</b>
8	Alachua	7	7	0	0	7
	Baker	0	0	0	0	0
	Bradford	0	0	0	0	0
	Gilchrist	0	0	0	0	0
	Levy	0	0	0	0	0
	Union	0	0	0	0	0
	<b>Total</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>7</b>
9	Orange	28	28	0	0	28
	Osceola	10	10	0	0	10
	<b>Total</b>	<b>38</b>	<b>38</b>	<b>0</b>	<b>0</b>	<b>38</b>
10	Hardee	0	0	0	0	0
	Highlands	1	1	0	0	1
	Polk	5	5	0	0	5
	<b>Total</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>6</b>
11	Dade	119	119	0	0	119
	<b>Total</b>	<b>119</b>	<b>119</b>	<b>0</b>	<b>0</b>	<b>119</b>
12	Desoto	0	0	0	0	0
	Manatee	3	3	0	0	3
	Sarasota	5	5	0	0	5
	<b>Total</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>8</b>
13	Hillsborough	23	22	1	0	23
	<b>Total</b>	<b>23</b>	<b>22</b>	<b>1</b>	<b>0</b>	<b>23</b>
14	Bay	1	1	0	0	1
	Calhoun	0	0	0	0	0
	Gulf	0	0	0	0	0
	Holmes	0	0	0	0	0
	Jackson	0	0	0	0	0
	Washington	0	0	0	0	0
	<b>Total</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
15	Palm Beach	57	57	0	0	57
	<b>Total</b>	<b>57</b>	<b>57</b>	<b>0</b>	<b>0</b>	<b>57</b>
16	Monroe	0	0	0	0	0
	<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Circuit	County	Petitions Filed	Petitions Disposed - Granted	Petitions Disposed - Dismissed	Petitions Disposed - Granted without Judicial Order**	Total Petitions Disposed
17	Broward	78	70	8	0	78
	<b>Total</b>	<b>78</b>	<b>70</b>	<b>8</b>	<b>0</b>	<b>78</b>
18	Brevard	15	11	4	0	15
	Seminole	10	8	2	0	10
	<b>Total</b>	<b>25</b>	<b>19</b>	<b>6</b>	<b>0</b>	<b>25</b>
19	Indian River	3	3	0	0	3
	Martin	1	1	0	0	1
	Okeechobee	0	0	0	0	0
	St. Lucie	7	5	2	0	7
	<b>Total</b>	<b>11</b>	<b>9</b>	<b>2</b>	<b>0</b>	<b>11</b>
20	Charlotte	0	0	0	0	0
	Collier	0	0	0	0	0
	Glades	0	0	0	0	0
	Hendry	0	0	0	0	0
	Lee	8	7	1	0	8
	<b>Total</b>	<b>8</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>8</b>
<b>State Total</b>		<b>476</b>	<b>448</b>	<b>27</b>	<b>1</b>	<b>476</b>

\*The data provided above were extracted from the Office of the State Courts Administrator dynamic file and is most accurate as of the run date of this document. Please note that the data may be modified after the run date as a result of amendments submitted by the clerk.

\*\*48 hours expired without order being entered by the court.



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 704

Bill Number (if applicable)

Topic Parental Consent

Name Kristanne Hall, JD

Job Title Professor

Address 8229 25th Dr.

Street

Wellborn,

City

FL

State

32094

Zip

Phone 386 466 4556

Email Kaha11776@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Revival Ministries International

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit this form is...

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

15 Jan 2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic Parental Consent

Name Melina Rayna Svanhild Farley-Barratt

Job Title President

Address 5689 SE 69 Ter  
Street

Trenton  
City

FL  
State

32693  
Zip

Phone 352-226-7477

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Gainesville NOW

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature

While it is a Senate tradition to encourage public testimony, time may be limited at a meeting. Those who do speak may be asked to limit their remarks.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date \_\_\_\_\_

Topic Parental Consent

404  
Bill Number (if applicable)

Name Elder Nathaniel Wilcox

Amendment Barcode (if applicable) \_\_\_\_\_

Job Title Minister

Address \_\_\_\_\_

Street \_\_\_\_\_

Miami FL

Phone \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Evidence Ministry

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit...  
meeting. Those who do speak may be asked to limit their...

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020  
Meeting Date

SB404  
Bill Number (if applicable)

222526  
Amendment Barcode (if applicable)

Topic FORCED PARENTAL CONSENT FOR ABORTION

Name Matilda Macdonald-Davies

Job Title

Address Street

Phone

City State

32304  
Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.



**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01-15-20

Meeting Date

4104 / ~~4171~~

Bill Number (if applicable)

Topic Parental Consent for Minors Obtaining Abortions

Amendment Barcode (if applicable)

Name Alexia Morales

Job Title Convasser

Address 4008 Sabal Park Dr Apt 301

Phone 812 331 5748

Tempa

FL

33610

Email lexi.marie.1950@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing The River Church

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

404  
Bill Number (if applicable)

Topic Forced Parental Consent

Amendment Barcode (if applicable)

Name Ida V. Eskamani

Job Title [scribble]

Address 126 N. Mills Av  
Street

Phone \_\_\_\_\_

Orlando FL 32801  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Organize Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

404  
Bill Number (if applicable)

Meeting Date \_\_\_\_\_

Amendment Barcode (if applicable) \_\_\_\_\_

Topic Parental Consent Bill

Name KEITH FLAUGH

Job Title MANAGING DIRECTOR FLCA

Address 1390 Quarters Phone \_\_\_\_\_  
Street

Macon Island, FL 37145 Email K.FLAUGH@mc.com  
City State Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Citizens Alliance

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20  
Meeting Date

SB404  
Bill Number (if applicable)

Topic abortion

Amendment Barcode (if applicable)

Name Madeline Ann Brezin

Job Title Consultant

Address 1101 N. Randolph Cir  
Street

Phone \_\_\_\_\_

Tallahassee FL 32308  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing The Center for Reproductive Rights

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*



**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

11-15-20

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 2404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Megan Petty

Job Title Student

Address 4108 Kings Ave S.

Phone 406-291-4567

Street

Brandon, FL 33511

Email glorymtr@gmail.com

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20 Meeting Date

404 Bill Number (if applicable)

Topic Parental Consent for Abortion

Amendment Barcode (if applicable)

Name Greg Pound

Job Title

Address 9166 Sunrise Dr. Street

Phone

Largo FL 33773 City State Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1.15.2026

Meeting Date

5B404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Joshua Alclage

Job Title Christian Values Advocate

Address 721 Star Pointe Drive

Phone 956 459 7626

Street

Seffner

City

FL

State

33584

Zip

Email LBOT777@HOTMAIL.COM

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing The River @ Tampa Bay Church / CFC

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Rights for Abortion

Amendment Barcode (if applicable)

Name Dale Newman

Job Title

Address Street

Phone

City State Zip

Email

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against  
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

Topic forced parental consent

Amendment Barcode (if applicable)

Name Laura Hernandez

Job Title Legislative Representative

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Alliance of Planned Parenthood Affiliates

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-20

Meeting Date

SB404

Bill Number (if applicable)

Topic SB404

Amendment Barcode (if applicable)

Name William Richhart

Job Title \_\_\_\_\_

Address 9300 SW 85th Terrace Unit E  
Street

Phone 260-515-0343

Orla FL 34461  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

404  
Bill Number (if applicable)  
355614  
Amendment Barcode (if applicable)

Topic forced parental consent

Name Laura Hernandez

Job Title Legislative Representative

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Alliance of Planned Parenthood Affiliates

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Rebenda Herrington

Job Title \_\_\_\_\_

Address 4730 NW 13th Ave.  
Street

Phone (352) 379-0127

Gainesville, FL. 32605  
City State Zip

Email bshgrace@aol.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing North Central Florida (NCF) Catholic Medical Association

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)



**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Terry Sanders

Job Title \_\_\_\_\_

Address 181 Sand Dollar Rd.

Phone 321-615-1334

Street

Indianantic FL

City

State

32903

Zip

Email TerrySand1@yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida NOW

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

SB 404

Bill Number (if applicable)

Topic PARENTAL CONCERN

Amendment Barcode (if applicable)

Name JACOB S YOHANNES

Job Title ADVOCATE FOR CHRISTIAN VALUES

Address 2606 BERMUDA LAKE DR

Phone 813-330-8666

Street

BRANDON

FL

33510

City

State

Zip

Email JACOB.YOHANNES2@GMAIL.COM

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing CHRISTIAN FAMILY COALITION

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic abortion

Amendment Barcode (if applicable)

Name Kathryn Ashby

Job Title \_\_\_\_\_

Address 647 W Pensacola Street

Phone 407-538-4035

Street

Tallahassee

City

FL  
State

32304  
Zip

Email kma16e@my.fsu.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-20  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent for Abortion

Amendment Barcode (if applicable)

Name Anna Higgins

Job Title attorney & lobbyist

Address 3375 Rommitch Ct

Phone 202-384-6657

Pensacola FL 32504  
City State Zip

Email ahiggins@walkerfl.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Susan B. Anthony List

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

CS/SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Trish Neely

Job Title consultant

Address 2024 Shangri La Lane

Phone 850 322 3317

Street

Tally FL 32303

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing League Women Voters

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2022

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name P. G. Schafer

Job Title RN

Address 2015 SW 43rd Place

Phone 352-362-3023

Ocala FL 34471  
City State Zip

Email pgschafer1@aol.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing CFC

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

01/15/20  
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404  
Bill Number (if applicable)

Topic abortion

Amendment Barcode (if applicable)

Name Rachael Sabra

Job Title FSU College of Medicine Student

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City

State

Zip

33021

Email \_\_\_\_\_

Speaking:  For  Against  Information

~~Waive Speaking  No Support  Against~~   
~~The Chair will read this information into the record.~~

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-2020

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent for Abortion

Amendment Barcode (if applicable)

Name Dr. Diane Gowski, MD

Job Title Florida state director for Catholic Medical Association

Address 1383 Temple St. Street

Phone 727-480-7574

Clearwater FL 33756 City State Zip

Email dianetg@aol.com

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing Florida guilds of the Catholic Medical Association

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

Topic Forced parental consent

Amendment Barcode (if applicable)

Name Charo Valera

Job Title Policy director

Address Street

Phone

City

State

Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Florida Latino Advocacy Network

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB404  
Bill Number (if applicable)

Topic SB

Amendment Barcode (if applicable)

Name Julie Bressie

Job Title \_\_\_\_\_

Address 14979 SE 25th Ave

Phone 352 430 7894

Summerfield FL 34491  
City State Zip

Email Jbressie123@gmail

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental consent for Abortion

Amendment Barcode (if applicable)

Name Kathryn Mesa

Job Title student at FSU college of law

Address 601 S. Copeland St. Apt 507

Phone (954) 802-2466

Street

Tallahassee

City

FL

State

32304

Zip

Email k1m17d@my.tau.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-20  
Meeting Date

404  
Bill Number (if applicable)

Topic SB 404 Parental Consent

Amendment Barcode (if applicable)

Name Brigitte Smith

Job Title Registered Nurse

Address 4275 SW 85th Ave  
Street

Phone 352 812 9064

Ocala FL 34407  
City State Zip

Email brigitte.smith@fda.gov  
yalroot.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing myself / CFC

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/10

Meeting Date

SB404

Bill Number (if applicable)

Topic Forced Parental Consent to Abortion

Amendment Barcode (if applicable)

Name Rayanna Riess

Job Title Law Student at FSU

Address 2116 Great Oak Dr

Phone (352) 587-4338

Street

Tallahassee FL

32303

City

State

Zip

Email rayanna.riess@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

1/15/20

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Sidney Bowdidge

Job Title Exec Director

Address 9859 SE 178th Ln

Phone 603-276-0848

Street

Summerfield FL 34491

City

State

Zip

Email sidbow9@gmail.com

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing CFC

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20

Meeting Date

404

Bill Number (if applicable)

Topic abortion

Amendment Barcode (if applicable)

Name Tim Gemesi

Job Title \_\_\_\_\_

Address \_\_\_\_\_

Street

Phone \_\_\_\_\_

City

State

32304

Email \_\_\_\_\_

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Lynette Gee

Job Title advocate for Christian Values

Address 1447 Pelican Path  
Street

Phone (424) 229-4926

The Villages FL 32162  
City State Zip

Email Lynettehanley@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

Topic Forced parental consent

Amendment Barcode (if applicable)

Name Joanna Carroll

Job Title \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Street

32305

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01-15-2020  
Meeting Date

58 404  
Bill Number (if applicable)

Topic PARENTAL CONCERN

Amendment Barcode (if applicable)

Name Alyce Davis

Job Title \_\_\_\_\_

Address 132 AZALEA TRL.

Phone 352-639-3137

Leesburg FL 34748  
City State Zip

Email ajdavis26@yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing CFE

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-20  
Meeting Date

404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Barbara Devane

Job Title MS

Address 625 E Bernard St

Phone 257-4282

Tall FL 32308  
City State Zip

Email barbdevane1@Yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FL NOW

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Judith K Greer

Job Title Advocat

Address 811 Pine DR.  
Street

Phone 352-357-4477

Leesburg FL 34788  
City State Zip

Email godsoluvdme@comcast.net

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing CFC

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

SB404  
Bill Number (if applicable)

Topic: Abortion

Amendment Barcode (if applicable)

Name: Leah Genn

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City

State

32304  
Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

1/15/2020  
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Cheryl "Sherry" A. O'RODNIK

Job Title Retired

Address 4416 WATERCRESS WAY #301

Phone (330) 774-6577

LAKWOOD BANCH, FL 34202  
City State Zip

Email Sasgrodnik@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing CF Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

*Meeting Date*

SB 404

*Bill Number (if applicable)*

Topic Forcing Minors to Have Children Against Their Will

*Amendment Barcode (if applicable)*

Name Kara Gross

Job Title Legislative Director & Senior Policy Counsel

Address 4343 West Flagler St.

Phone 786-363-4436

*Street*

Miami

FL

33134

Email kgross@aclufi.org

*City*

*State*

*Zip*

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing American Civil Liberties Union of Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB404

Bill Number (if applicable)

1-15-20

Meeting Date

Topic PARENTAL CONSENT FOR ABORTION

Amendment Barcode (if applicable)

Name KAREN YOUNG

Job Title ADVOCATE - C

Address 1983 US HWY 19 N 3304

Phone 727-450-2993

Street

CLEARWATER, FL

State

33763

Zip

Email KAREN.YOUNG@CFCMAIL.COM

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against (The Chair will read this information into the record.)

Representing CFC

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

Topic Abortion

Amendment Barcode (if applicable)

Name Jordan Thomas

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip 32304

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

SB404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Sherri Frazer

Job Title Business Owner

Address 4005 SE Hwy 314A

Phone 561-701-0428

Street  
City Oklawaha, FL 32179  
State Zip

Email sherrifrazer4@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20

Meeting Date

SB404

Bill Number (if applicable)

Topic Abortion

Amendment Barcode (if applicable)

Name Sadie Carlson

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City

State

Zip

Email \_\_\_\_\_

Speaking  ~~For  Against~~  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB404  
Bill Number (if applicable)

Topic Abortion

Amendment Barcode (if applicable)

Name Madison Stuart

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip 32304

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

Topic Abortion

Amendment Barcode (if applicable)

Name Jessica-Raishelle Randy

Job Title

Address Street

Phone

City

State

32301

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20

Meeting Date

SB404

Bill Number (if applicable)

Topic Abortion

Amendment Barcode (if applicable)

Name Maylenid Ayala

Job Title

Address 306 Stadium Dr. Apt 10

Phone

Street

Tallahassee

FL

32304

Email

City

State

Zip

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against (The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Natalia Garceau

Job Title Parent / teacher

Address 1625 Johnson St.

Phone 954 699 7964

Street Hollywood FL City State Zip

Email knitalva@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing individual

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

JAN 15 20

Meeting Date

CSB 404

Bill Number (if applicable)

Topic PARENTAL CONSENT ABORTION

Amendment Barcode (if applicable)

Name BILL BUNKLEY

Job Title PRESIDENT

Address PO BOX 1644

Phone 813-264-2977

Street

TAMPA FL 33694

City

State

Zip

Email BILL@FERLC.ORG

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FLORIDA ETHICS & RELIGIOUS LIBERTY COMMISSION

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)



# APPEARANCE RECORD

1-15-2020

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404

Meeting Date

Bill Number (if applicable)

Topic Parental Consist

Amendment Barcode (if applicable)

Name Pastor Wendy Gallegos

Job Title Pastor

Address 5900 SE 145th ST

Phone 352.216-5859

Street Summerfield FL 34491

Email Familygivers@gmail

City State Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing CFE

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

June 15 2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Cheryl Baker

Job Title advocate

Address 36651 SkyCrest Blvd.

Phone 352.207.9081

Street

Fruitland Park Fl. 34781

City

State

Zip

Email CherylBaker277@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christina's family, Collier

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01-15-2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Vernandah Brathwaite

Job Title Reverend

Address 1333 Peters Drive  
Street

Phone 352-396-6108

Leesburg FL 34748  
City State Zip

Email Brathwaite@yahoo

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

1-15-2020  
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404  
Bill Number (if applicable)

Topic PARENTAL CONSENT

Amendment Barcode (if applicable)

Name Linda Lou Johnson

Job Title Reverend and Author

Address 13168 NE. 19TH LN

Phone 352-342-0312

Street  
SILVER SPRINGS FL 34488  
City State Zip

Email kel2w969@gmail

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing CHRISTIAN FAMILY COALITION

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

1/15/2020  
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404  
Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name Yvette Benarroch

Job Title Chairwoman

Address 847 Rose Ct

Phone 239-253-8507

Marco Island FL 34145  
Street City State Zip

Email ~~Yvette@rnhafl.com~~ Yvette@rnhafl.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Republican National Hispanic Assembly Collier Lee County

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20

Meeting Date

SB 404

Bill Number (if applicable)

Topic PARENTAL CONSENT

Amendment Barcode (if applicable)

Name OSMAR TAMAYO

Job Title \_\_\_\_\_

Address 21021 STATE RD 54

Phone (813) 704-7066

Street

LVT 2, FL. 33558

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing CHRISTIAN FAMILY COALITION - Temple Elijah

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20  
Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent Before Abortion

Amendment Barcode (if applicable)

Name GILBERTO RODRIGUEZ

Job Title Pastor Temple Elijah Assemblies of God

Address 21021 STATE RD 54

Phone \_\_\_\_\_

Street

Lutz, FL 33558

City

State

Zip

Email templeelias@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Temple Elijah - Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Yuliet Tamayo

Job Title

Address 21021 STATE RD 34

Phone (813) 298-5757

Street  
City Intz FL 33558  
State Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Temple Elijah - Oritshim family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Alicia E Vernon

Job Title advocate for Christian values

Address 7631 Desert Inn Way

Phone 941-993-0233

Street  
Bradenton, FL / 34202  
City State Zip

Email aliciaEvernon@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Jayson S. Williams

Job Title Postac

Address 3409 High Hampton Cir.  
Street

Phone 202-600-6116

Tampa  
City

FL  
State

33610  
Zip

Email JAYSONS.WILLIAMS@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing CHRISTIAN Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Barry Webster

Job Title

Address 350 Milestone Drive

Phone 850-591-9877

Tallahassee FL 32312

City State Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

Topic Parental Consent for Abortion

Amendment Barcode (if applicable)

Name Ingrid Delgado

Job Title Associate Director for Social Concerns of Respect Life

Address 201 W Park Av

Phone

Street

Tallahassee

FL

State

32301

Zip

Email

City

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Florida Conference of Catholic Bishops

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

1-15-20

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Jana Bedgood

Job Title Research

Address 4913 Ballygar Dr.

Phone 850 597 5796

Tallahassee FL 32309

Email djbedgood@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against (The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [x] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Doug Bedgood

Job Title

Address 4913 Ballygar Drive

Phone 850-597-5196

Tallahassee FL 32309

Email djbedgood@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11-15-2010

Meeting Date

484  
~~490~~

Bill Number (if applicable)

Topic Parental Consent Bill

Amendment Barcode (if applicable)

Name Pam Olsen

Job Title President of Florida Prayer

Address PO Box 14017

Phone \_\_\_\_\_

Street

TLH, FL

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Prayer Network

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/15/20

Meeting Date

SR 404

Bill Number (if applicable)

Topic PARENTAL CONSENT

Amendment Barcode (if applicable)

Name Ryan Newhaus

Job Title FLORIDA REGIONAL COORDINATOR STUDENTS FOR LIFE

Address 11200 SW 55th Circle

Phone 615-384-8444

Street

OCALA

FL

34474

City

State

Zip

Email rnewhaus@studentsforlife.org

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against (The Chair will read this information into the record.)

Representing Students for Life of America

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20 Meeting Date

404 Bill Number (if applicable)

Topic Parental consent

Amendment Barcode (if applicable)

Name Regina Silas

Job Title Founder of JBS Foundation

Address 18015 NW 25th Street

Phone 7861571-9980

Miami-Gardens FL 33056 City State Zip

Email Regina.Barquel@gmail.com

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against (The Chair will read this information into the record.)

Representing Pro-life JBS Foundation

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB404  
Bill Number (if applicable)

Meeting Date

Topic Parental Consent

Amendment Barcode (if applicable)

Name Rev. Charles E. Cochran

Job Title President

Address PO Box 353378

Phone 386 585 5488

Street

Palm Coast FL 32135

City

State

Zip

Email zionbaptistfce@john

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing The Evidence Ministry, Inc.

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-2020

Meeting Date

404

Bill Number (if applicable)

Topic Parental Consent For Abortion

Amendment Barcode (if applicable)

Name Andrew Shirvell

Job Title Executive Director

Address Po Box 12152

Phone 850-404-3414

Street

Tallahassee

City

FL

State

32317

Zip

Email andrew@floridavoice.com  
fortheunborn.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Voice For the Unborn

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

SB404

Bill Number (if applicable)

Topic Parental Rights

Amendment Barcode (if applicable)

Name Chandler Cahoon

Job Title Girls Ministry Director

Address 1800 Miccosukee Commons Dr

Phone 205-602-9368

Street

Florida Tallahassee FL

32308

Email ccahoon@iccelebration.org

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

1/15/20

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404

Bill Number (if applicable)

Topic Parental Rights

Amendment Barcode (if applicable)

Name Laura Arnaldo

Job Title Admin Asst

Address 3509 Gallagher Dr

Phone

Street

Tan

City

FL

State

32309

Zip

Email larnaldo@icelebration

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against (The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Rights

Amendment Barcode (if applicable)

Name Jerri Chosney

Job Title Admin Assistant

Address 6069 Wesssex Ct

Phone 850 559 4585

Tallahassee FL 32309

Email JChosney@icelaboration.org

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11.15.2020

Meeting Date

SB404

Bill Number (if applicable)

Topic PARENTAL CONSENT

Amendment Barcode (if applicable)

Name AARON SHEFFIELD

Job Title PASTOR

Address 3300 SHAMROCK ST E

Phone \_\_\_\_\_

Street

TALLAHASSEE FL 32309

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

SB 404

Bill Number (if applicable)

Topic PARENTAL RIGHTS

Amendment Barcode (if applicable)

Name JACQUELINE BRADY

Job Title

Address 1750 BEAVER CREEK DRIVE

Phone

Street

HAVANA

FL

32333

Email

City

State

Zip

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against (The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [x] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-2020

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Rights

Amendment Barcode (if applicable)

Name LOMA CHESNEY

Job Title

Address 6069 WESSEX CT

Phone

Street

Tallahassee

FL

32309

Email

City

State

Zip

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against (The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [x] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name James Shannon

Job Title Advocate for Christian Values

Address 11107 Lakewood Pointe Dr.  
Street

Phone (727) 278-1926

Suwannee  
City

FL  
State

33584  
Zip

Email James-Shannon32@gmail

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

JAN. 15, 2020

Meeting Date

404

Bill Number (if applicable)

Topic PARENTAL CONSENT

Amendment Barcode (if applicable)

Name WILLIAM PERAZA SR.

Job Title RETIRED

Address 2940 SKYVIEW DR.

Phone 321-442-0425

Street

KISSIMMEE FL. 34746

Email billmaria25@msn.com

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020  
Meeting Date

SB404  
Bill Number (if applicable)

Topic Parental consent

Amendment Barcode (if applicable)

Name Zaylie Zurfelt

Job Title

Address 1302 valley grove dr  
Street

Phone 978 799 1398

Seffner FL 33584  
City State Zip

Email zayliez2@icloud.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Debbie Wine

Job Title Student

Address 6974 Alt. Bab. Pk Rd  
Street

Phone 863-205-3997

Bartow FL 33830  
City State Zip

Email winedebbie1 at g mail. com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Jeremiah McPhearson

Job Title Advocate for Christian Values

Address 3025 Lakehouse Cove Isle

Phone 813-730-0201

Street

Plant City

FL

33566

Email jermcp10@gmail.com

City

State

Zip

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Shaam Prashad

Job Title ~~Sales Representative~~ Advocate for Christian Values

Address 2551 Bowin Noddy Lane  
Street

Phone 813-408-3885

Tampa FL 33619  
City State Zip

Email shaamprashad0201@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Kati Childs

Job Title

Address 1511 E. 32nd Ave

Phone 813-567-9771

Street

Tampa FL 33610

City

State

Zip

Email ChildsK86@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [x] Against (The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [x] No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-20

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name BRANDA BUTCHER

Job Title CHRISTIAN FAM. COALITION

Address 16123 Bellamy Brothers Blvd  
Street

Phone 941 580 6760

DADE CITY FL 33523  
City State Zip

Email BRANDA@ALWAYSINTELECOM.COM

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-2020  
Meeting Date

SR-404  
Bill Number (if applicable)

Topic Parental Rights

Amendment Barcode (if applicable)

Name Malika Hughes

Job Title Self Employed

Address 2204 Columbus Dr  
Street

Phone 813-445-9238

Brandon FL 33518  
City State Zip

Email Malika73@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/19 Meeting Date

SB404 Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Noah Omeregic

Job Title Self-employed

Address 10413 Boshawk DR

Phone 813-503-5793

River View FL 33578

Email Omereginoah@gmail.com

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Jamie Brown

Job Title Ex. Dir a women's Pregnancy Center

Address 919 W Pensacola St

Phone 850 297 1774

Street

City Tall State FL Zip 32304

Email jamie@awpc.org

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing a women's Pregnancy Center

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020

Meeting Date

SB404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Peter Simmons

Job Title Student

Address 2105 Aztec Palms Pl Street

Phone 912 602 3101

City Brandon State FL Zip 33510

Email pbsimmons85@gmail.com

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing CFC + River Tampa Bay

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

1/15/2020

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB404

Bill Number (if applicable)

Meeting Date

Topic Parental Notification

Amendment Barcode (if applicable)

Name Ash Mason

Job Title State Chairman

Address PO Box 37030

Phone (202) 479-6900

<sup>Street</sup> Washington DC

Email ash.mason@cc.org

City DC State DC Zip 20013

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Coalition of America

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Maria Peraza

Job Title

Address 2940 Skyview Dr.

Phone 786-877-3279

Street

Kissimmee

FL

34746

City

State

Zip

Email billmaria25@yahoo.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against (The Chair will read this information into the record.)

Representing AFC

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/15/2020

Meeting Date

SB 404

Bill Number (if applicable)

Topic PARENTAL RIGHTS

Amendment Barcode (if applicable)

Name BRUCE KING

Job Title

Address 2130 ... AVE.

Phone 850 593 5447

Street

SNOWS

FL

32460

Email

City

State

Zip

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against (The Chair will read this information into the record.)

Representing

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-20  
Meeting Date

SB404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Bar Kimen

Job Title President

Address 3849 Appalachaw Trail  
Street

Phone 850-933-647

Marianna FL 32446  
City State Zip

Email bFree@FreedomSpeaks.us

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Freedom Speaks

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 404

Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Renate Ferrante, RN

Job Title Executive Director

Address 9166 Estero River Circle

Phone 239-272-5092

Street

Estero, FL 33928

City

State

Zip

Email Renate.CCAP@gmail.com

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing Diocese of Venice

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 404  
Bill Number (if applicable)

Meeting Date \_\_\_\_\_

Topic PARENTAL CONSENT

Amendment Barcode (if applicable) \_\_\_\_\_

Name Jacinta Robin

Job Title SFL Volunteer

Address 12450 Byscane Blvd  
Street

Phone (904) 515-2404

Jax FL 32218  
City State Zip

Email Jacinta.Robin@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Students For Life at UNF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

15 JANUARY 2020  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic PARENTAL CONSENT

Amendment Barcode (if applicable)

Name BILL SNYDER

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2010  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Mark Cabrera

Job Title Pastor

Address 12617 Adventure Dr  
Street

Phone 813-900-6969

Riverview FL 33579  
City State Zip

Email markcabrera1313@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-15-2020 Meeting Date

SB 404 Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Noah Gadsden

Job Title advocate for christian values

Address 7631 Resort Im way

Phone 813-531-5312

Street City State Zip Bradenton, FL 34202

Email noah.gadsden02@gmail

Speaking: [X] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing christian family coalition

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

HB 404  
Bill Number (if applicable)

Topic Parental Consent for Abortion

Amendment Barcode (if applicable)

Name Anna Newman

Job Title

Address Street

Phone

City State Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020  
Meeting Date

SB404  
Bill Number (if applicable)

Topic Abortion

Amendment Barcode (if applicable)

Name Matilda MacDonald-Davies

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip 37304

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB 404  
Bill Number (if applicable)

Topic Parental Consent

Amendment Barcode (if applicable)

Name Elizabeth Jane Dolson

Job Title Christian Family Coalition B.W.

Address 16123 Bellamy Brother Blvd

Phone 813 629 6200

Dade City FL 33523  
City State Zip

Email bethardhu3@yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Christian Family Coalition

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/15/20

Meeting Date

SB 404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic abortion

Name Rechael Sabra

Job Title Student (9) FSU college of medicine

Address \_\_\_\_\_

Street

Phone \_\_\_\_\_

City

State

33021

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

10/5/2020

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic FORCED PARENTAL CONSENT

Name Madeline Brezin

Job Title Consultant

Address 1401 N. Randolph Cir

Street

Phone \_\_\_\_\_

Tallahassee

City

FL

State

32308

Zip

Email mbrezin@reprorights.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Center for Reproductive Rights

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

11/15/2020

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

404

Meeting Date

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic Forced parental consent

Name Kathryn Ashby

Job Title \_\_\_\_\_

Address 647 W Pensacola Street

Phone 407-538-4035

Street

Tallahassee

FL

32304

City

State

Zip

Email kma18e@my.fsu.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/15/20

Meeting Date

404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic abortion

Name Tim Gemesi

Job Title \_\_\_\_\_

Address \_\_\_\_\_

Street

Phone \_\_\_\_\_

City

State

32304

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020  
Meeting Date

SB 404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic FORCED PARENTAL CONSENT FOR ABORTION

Name LYDIA TORTORICI

Job Title MEDICAL STUDENT

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City

State

32301

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020

Meeting Date

SB 404

Bill Number (if applicable)

335614

Amendment Barcode (if applicable)

Topic abortion

Name Alana Mellers

Job Title \_\_\_\_\_

Address \_\_\_\_\_

Street

Phone \_\_\_\_\_

City

State

Zip

Email \_\_\_\_\_

32304

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic forced parental consent

Name Kathryn Mesa

Job Title law student

Address Street

Phone (954) 802-2466

City

State

Zip

Email klm17d@my.fsu.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

1/15/20

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

404

Meeting Date

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic FORCED PARENTAL CONSENT

Name Rayanna Riecss

Job Title Law Student at FSU

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City

State

Zip

32303

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing STIK

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/15/20

Meeting Date

404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic Forced parental consent

Name Joanna Carroll

Job Title \_\_\_\_\_

Address \_\_\_\_\_

Street

Phone \_\_\_\_\_

City

State

32305

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic Abortion

Name Leah Genn

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City

State

Zip

32304

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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THE FLORIDA SENATE

APPEARANCE RECORD

01/15/2020

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic FORCED PARENTAL CONSENT FOR ABORTION

Name Matilda MacDonald-Davies

Job Title

Address

Street

Phone

City

State

Zip

Email

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against (The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

~~0122~~ 355614

Amendment Barcode (if applicable)

Topic Abortion

Name Sadie Carlson

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB4104

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic Abortion

Name Jordan Thomas

Job Title

Address Street

Phone

City

State

32304

Zip

Email

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against (The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic Abortion

Name Madison Stuart

Job Title

Address Street

Phone

City

State

32304

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic Abortion

Name Jessica-Raishelle Parady

Job Title

Address Street

Phone

City

State

32301

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

SB404  
Bill Number (if applicable)

355614  
Amendment Barcode (if applicable)

Topic Abortion

Name Maylenid Cyola

Job Title \_\_\_\_\_

Address 306 Stadium Dr. Apt 10  
Street

Phone \_\_\_\_\_

Tallahassee FL 32304  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20  
Meeting Date

SB404  
Bill Number (if applicable)  
222526  
Amendment Barcode (if applicable)

Topic abortion

Name Rachael Sabra

Job Title Student @ FSU college / medicine

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip 33021

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20  
Meeting Date

SB 404  
Bill Number (if applicable)

222525  
Amendment Barcode (if applicable)

Topic abortion

Name Kathryn Ashby

Job Title \_\_\_\_\_

Address 647 W Pensacola Street  
Street

Phone 407-538-4035

Tallahassee FL 32304  
City State Zip

Email kma18e@my.fsu.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20

Meeting Date

SB 404

Bill Number (if applicable)

222526

Amendment Barcode (if applicable)

Topic abortion

Name Madeline Biezin

Job Title Consultant

Address 1401 N. Randolph Cir

Street

Tallahassee

City

FL

State

32308

Zip

Phone \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing The Center for Reproductive Rights

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020 Meeting Date

404 Bill Number (if applicable)
222526 Amendment Barcode (if applicable)

Topic Forced Parental Consent

Name Ida V. Eskamani

Job Title

Address Street

Phone

City State Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Organize Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/2020  
Meeting Date

404

Bill Number (if applicable)

355614

Amendment Barcode (if applicable)

Topic Forced Parental Consent

Name Ida V. ESKamani

Job Title Community Lobbyist

Address 126 N. Mills Ave

Street

Phone 4073764801

Orlando

FL 32801

City

State

Zip

Email ida.eskamani@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Organize Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

222526

Amendment Barcode (if applicable)

Topic Forced parental consent

Name Rayanna Riess

Job Title Law student at FSU

Address

Street

Phone 352 587 4331

City

State

Zip

32303

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against

(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

404  
Bill Number (if applicable)  
355614  
Amendment Barcode (if applicable)

Topic forced parental consent

Name Charo Valero

Job Title policy director

Address Street

Phone

City State Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Latin Advocacy Network

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

222526

Amendment Barcode (if applicable)

Topic Parental consent for Abortion

Name Kathryn Mera

Job Title law student

Address Street

Phone (954) 802-2461

City State Zip

Email klm17d@my.fsu.edu

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against (The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [x] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

909  
Bill Number (if applicable)  
222526  
Amendment Barcode (if applicable)

Topic forced parental consent

Name Charo Valero

Job Title Policy director

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida latins advocacy network

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020  
Meeting Date

SB 404  
Bill Number (if applicable)

222526  
Amendment Barcode (if applicable)

Topic abortion

Name Alana Mellers

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip 32304

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020  
Meeting Date

SB409

Bill Number (if applicable)

222526

Amendment Barcode (if applicable)

Topic FORCED PARENTAL CONSENT FOR ABORTION

Name LYDIA TORTORICI

Job Title MEDICAL STUDENT

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip 32301

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/20  
Meeting Date

404  
Bill Number (if applicable)

Topic Forced Parental Consent

222526  
Amendment Barcode (if applicable)

Name Tim Gemesi

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip 32304

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20  
Meeting Date

404

Bill Number (if applicable)

22521

Amendment Barcode (if applicable)

Topic Forced parental consent

Name Joanna Carroll

Job Title

Address Street

Phone

City State Zip

32305

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

222526

Amendment Barcode (if applicable)

Topic Abortion

Name Leah Genn

Job Title

Address Street

Phone

City

State

32304

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

404

Bill Number (if applicable)

222526

Amendment Barcode (if applicable)

Topic Forced parental consent

Name Laura Hernandez

Job Title Legislative Representative

Address \_\_\_\_\_  
Street

Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Alliance of Planned Parenthood Affiliates

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

22256

Amendment Barcode (if applicable)

Topic ADDUCTION

Name Madison Stuart

Job Title

Address

Street

Phone

City

State

32304

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

272526

Amendment Barcode (if applicable)

Topic Abortion

Name Jordan Thomas

Job Title

Address

Street

Phone

City

State

32304

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

222 526

Amendment Barcode (if applicable)

Topic Abortion

Name Sadie Coates

Job Title

Address Street

Phone

City

State

Zip

Email

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against (The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [x] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB404

Bill Number (if applicable)

222526

Amendment Barcode (if applicable)

Topic Abortion

Name Jessica-Raishelle Pandy

Job Title

Address Street

Phone

City

State

32501

Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/15/20

Meeting Date

SB404

Bill Number (if applicable)

222526

Amendment Barcode (if applicable)

Topic Abortion

Name Maylenid Oyola

Job Title Medical Student

Address 306 Stadium Dr Apt 10

Street

Phone \_\_\_\_\_

Tallahassee

City

FL

State

32304

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Judiciary

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BILL: SB 726

INTRODUCER: Senator Rouson

SUBJECT: Florida Commission on Human Relations

DATE: January 14, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hackett</u>	<u>McVaney</u>	<u>GO</u>	<b>Favorable</b>
2.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<b>Favorable</b>
3.	_____	_____	<u>RC</u>	_____

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**I. Summary:**

SB 726 amends several statutes pertaining to the Florida Commission on Human Relations (Commission). The Commission is responsible for investigating and resolving discrimination complaints in the areas of employment, housing, and certain public accommodations, as well as investigating state employee whistle-blower complaints of retaliation.

Specifically, the bill:

- Changes the number of Commissioners required for a quorum from seven to a majority of the currently appointed commissioners and establishes a quorum of three for panels.
- Allows the Commission to nominate fewer than 10 people for the Florida Civil Rights Hall of Fame each year.
- Requires the Commission to provide notice to an aggrieved person of its failure to determine reasonable cause if the Commission fails to make a determination within 1 year of the complaint's filing.
- Removes the requirement that facilities and communities designed for the housing of elderly must register with the Commission and renew the registration every 2 years, and removes associated fees and fines.
- Removes the requirement that the Commission or Attorney General investigate public housing discrimination complaints and increases the time period the Attorney General has to resolve a complaint regarding discriminatory practices of certain clubs from 30 to 45 days.
- Revises various deadlines and time constraints regarding the Commission's fact-finding investigation period for a retaliation claim.

The bill does not appear to have a fiscal impact on state or local governments.

The bill takes effect July 1, 2020.

## II. Present Situation:

### **Florida Civil Rights Act (Part I, Chapter 760, F.S.)**

The Florida Civil Rights Act (FCRA) protects persons from discrimination based on race, color, religion, sex, pregnancy, national origin, age, handicap, and marital status. The FCRA establishes the Florida Commission on Human Relations (the Commission) within the Department of Management Services. The Commission possesses the requisite powers to enforce the FCRA.<sup>1</sup> The Governor appoints, and the Senate confirms, the 12 members of the Commission.<sup>2</sup>

### **The Florida Commission on Human Relations**

The Commission, created in s. 760.03, F.S., is empowered to receive, initiate, investigate, conciliate, hold hearings, and act upon complaints alleging discriminatory practices.<sup>3</sup> Additionally, the Attorney General may initiate a civil action for damages, injunctive relief, civil penalties of up to \$10,000 per violation, and other appropriate relief.<sup>4</sup>

### ***Administrative and Civil Remedies***

An aggrieved person, the Commission, a commissioner, or the Attorney General has 365 days after the alleged violation to file a complaint with the Commission naming the person responsible for the violation and describing the violation.<sup>5</sup> Within 180 days after the filing, the Commission must make a determination of whether reasonable cause exists to believe that discriminatory practice has occurred.<sup>6</sup>

If the Commission issues a finding of reasonable cause, the aggrieved person may request an administrative hearing or bring a civil action.<sup>7</sup> A civil action must be brought within 1 year after the determination of reasonable cause.<sup>8</sup> The FCRA expressly requires a plaintiff to exhaust his or her administrative remedy as a prerequisite to filing a civil action alleging unlawful discrimination, including housing discrimination.<sup>9</sup> The remedies available through an administrative hearing are affirmative relief from the effects of the practice, including back pay, and attorney's fees, while remedies available through a civil action include affirmative relief such as back pay, injunctive relief, compensatory damages, punitive damages up to \$100,000, and attorney's fees.<sup>10</sup>

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<sup>1</sup> Section 760.06(6), F.S.

<sup>2</sup> Section 760.03(1), F.S.

<sup>3</sup> Section 760.06(5), F.S.

<sup>4</sup> Section 760.021(1), F.S.

<sup>5</sup> Section 760.11(1), F.S.

<sup>6</sup> Section 760.11(3), F.S.

<sup>7</sup> Section 760.11(4), F.S.

<sup>8</sup> Section 760.11(5), F.S. If, however, the commission fails to make a determination of reasonable cause, the four-year statute of limitations for cause of action based on statutory liability applies. *Joshua v. City of Gainesville*, 768 So.2d 432 at 439 (Fla. 2000).

<sup>9</sup> Section 760.07, F.S.

<sup>10</sup> Section 760.11(5), (6), and (7), F.S.

Alternatively, under s. 760.11(7), F.S., if the Commission makes a determination that there is not reasonable cause, the claimant may request an administrative hearing, but must do so within 35 days of the date of the “no cause” determination. If the claim is not made within 35 days, the claim is barred.<sup>11</sup>

### ***Commission Administration***

Section 760.03(1), F.S., requires that the Commission be comprised of 12 members. Currently, the Commission has just six members appointed to serve on its board.<sup>12</sup>

Current law provides that seven members constitute a quorum for the Commission to conduct business.<sup>13</sup> Due to the low number of commissioners currently appointed, the Commission has cannot meet the seven member quorum requirement. In contrast, other commissions and government entities may satisfy their quorum requirements with a majority of their currently appointed members.<sup>14</sup>

The Commission is also permitted to establish panels of not less than three members to exercise its powers under the Florida Civil Rights Act, subject to procedures and limitations the Commission may provide by rule.<sup>15</sup>

### ***Halls of Fame in Florida***

It is the intent of the Florida Legislature to recognize and honor those persons, living or dead, who have made significant contributions to this state. The Legislature has established various Halls of Fame including the Florida Women’s Hall of fame, Florida Artists Hall of Fame, Florida Educator Hall of Fame, Florida Sports Hall of Fame, and the Florida Civil Rights Hall of Fame.

The Florida Civil Rights Hall of Fame was created by the Legislature in 2010.<sup>16</sup> Each year the Commission is required to recommend 10 people for induction into the Florida Civil Rights Hall of Fame, from which list the Governor selects up to 3 new members.<sup>17</sup> An eligible nominee must:

- Be at least 18 years of age;
- Have been born in Florida or adopted Florida as his or her home state and base of operations; and
- Have made a significant contribution and provided exemplary leadership toward Florida’s progress and achievements in civil rights.<sup>18</sup>

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<sup>11</sup> Section 760.11(7), F.S.

<sup>12</sup> *Commissioners*, Florida Commission on Human Relations, <https://fchr.myflorida.com/fchrcommissioners> (last accessed December 3, 2020).

<sup>13</sup> Section 760.03(5), F.S.

<sup>14</sup> *See, e.g.* ss. 43.291(6) (Judicial Nominating Commissions), 265.003(3)(b) (Florida Veterans’ Hall of Fame), and 456.011(3) (Boards and Commissions within DOH).

<sup>15</sup> Section 760.03(5), F.S.

<sup>16</sup> *See* ch. 2010-53, Laws of Fla.

<sup>17</sup> Section 760.065(3)(a), F.S.

<sup>18</sup> Section 760.065(3)(b), F.S.



The Commission has failed to receive the minimum 10 recommendations several times. In 2014, 2015, and 2016, the Commission faced violating the statute by submitting fewer than 10 recommendations.<sup>19</sup> In each year, however, the Governor has selected the maximum three inductees.

### **Fair Housing Act**

Part II of ch. 760, F.S., constitutes the Florida Fair Housing Act, which protects citizens against discrimination in housing practices.<sup>20</sup> The Florida Fair Housing Act provides that any person who claims to have been injured by a discriminatory housing practice or who believes that he or she will be injured by a discriminatory housing practice may file a complaint with the Commission.<sup>21</sup> The complainant must file the complaint within 1 year after the alleged discriminatory practice has occurred.<sup>22</sup> The Commission has 100 days after receipt of the complaint to complete its investigation and give notice in writing to the person aggrieved whether it intends to resolve it.<sup>23</sup> The Commission may attempt to resolve the complaint and eliminate or correct the alleged discriminatory housing practice through conciliation.<sup>24</sup>

The provisions of the Florida Fair Housing Act apply to all housing and housing-related entities (realtors, brokers, mortgage companies, financial institutions) in Florida. In 2001, the Legislature created exemptions for which charges of housing discrimination do not apply. Certain housing for older persons is exempt from charges of discrimination based on familial status.<sup>25</sup> Housing for older persons is any housing intended for and solely occupied by persons 62 years of age or older, or if occupancy is by persons 55 years of age or older, at least 80 percent of the units are occupied by at least one person age 55 years or older. These facilities must register with the Commission and renew the registration every 2 years and pay a fee that does not exceed \$20 for registration and renewal.<sup>26</sup> The Commission may impose an administrative fine of up to \$500 for submission of false information,<sup>27</sup> but there is no penalty for failure to register with the Commission. Failure to register does not prohibit a community from claiming the exemption and the Commission does not actively seek out entities that are not registered.

The Commission has not charged a fee to register or renew facilities and communities since 2015.<sup>28</sup> The registry is not determinative as to whether the community actually qualifies from the housing for older persons' exemption under the Florida Fair Housing Act. A facility or community that registers is still subject to an investigation if a complaint were filed against it and would have to prove that it meets the exemption. The same is true of a facility or community that has not registered.

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<sup>19</sup> The Commission submitted six nominations in 2014, and nine nominations both in 2015 and 2016.

<sup>20</sup> Sections 760.20-760.37, F.S.

<sup>21</sup> Section 760.34(1), F.S.

<sup>22</sup> Section 760.34(2), F.S.

<sup>23</sup> Section 760.34(1), F.S.

<sup>24</sup> *Id.*

<sup>25</sup> Section 760.29(4), F.S.

<sup>26</sup> Section 760.29(4)(c), F.S.

<sup>27</sup> *Id.*

<sup>28</sup> See Florida Commission on Human Relations, Housing – 55 & Older Communities, *How to Register for Housing for Older Persons*, <https://fchr.myflorida.com/fchr55andolderhousing>.

### **Whistleblower Investigations**

The Commission is authorized to investigate any allegation of an adverse action against a state employee, former employee, applicant for employment, or an employee of a contractor with the state in retaliation for exposing gross mismanagement, fraud, wrongful act, or other violations by state government.<sup>29</sup> When an employer retaliates against an employee who makes such a disclosure (a whistleblower), the whistleblower may make a complaint to either the Inspector General or the Commission within 60 days.<sup>30</sup> The office must provide notice of receipt of such a complaint, and the Commission will begin a fact finding investigation into the complaint.<sup>31</sup> The Commission must investigate the complaint and, if a violation is found, move to protect the whistleblower by petitioning for relief and recommending disciplinary proceedings as the Commission sees fit.<sup>32</sup>

If an agency does not implement the recommended action of the Commission in 20 days, the Commission must terminate its investigation and notify the complainant of the right to appeal to the Public Employees Relations Commission or petition the agency for corrective action.<sup>33</sup> A complainant may file a complaint against the employer-agency with the Public Employees Relations Commission after the termination of an investigation by the Commission.<sup>34</sup>

If the Commission is unable to resolve a complaint within 60 days after receipt of the fact-finding report, the Commission must terminate the investigation. The Commission must then notify the complainant and agency head of the termination of the investigation, provide a summary of relevant facts found during the investigation, and state the reasons for terminating the investigation.<sup>35</sup>

### **Discriminatory Practices in Certain Clubs**

As part of the Florida Civil Rights Act, the Legislature prohibits certain clubs from discriminating against individuals based on race, color, religion, gender, national origin, handicap, age (above the age of 21), or marital status in evaluating an application for membership.<sup>36</sup> This prohibition only applies to clubs that have more than 400 members, provide regular meal service, and receive payment for dues, fees, use of space, facilities, services, meals, or beverages directly or indirectly from non-members for business purposes.<sup>37</sup> The law also prohibits the publication, circulation, issuance, display, posting, or mailing of any advertisement, notice, or solicitation that contains a statement to the effect that the accommodations, advantages, facilities, membership, or privileges of the club are denied to any individual because of race, color, religion, gender, national origin, handicap, age (above the age of 21), or marital

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<sup>29</sup> See s. 112.3187(4), (5), (6), and (7).

<sup>30</sup> Section 112.31895(1), F.S.

<sup>31</sup> Section 112.31895(2), F.S.

<sup>32</sup> Section 112.31895(3), F.S.

<sup>33</sup> Section 112.31895(3)(e), F.S.

<sup>34</sup> Section. 112.31895(4)(a), F.S.

<sup>35</sup> Section 112.31895(3)(d), F.S.

<sup>36</sup> Section 760.60(1), F.S.

<sup>37</sup> *Id.*

status.<sup>38</sup> This prohibition does not apply to fraternal or benevolent organizations, ethnic clubs, or religious organizations where business activity is not prevalent.<sup>39</sup>

Any person who has been discriminated against by a club meeting these specifications may file a complaint with the Commission or with the Attorney General's Office of Civil Rights.<sup>40</sup> Upon receipt, the Commission or the Attorney General must provide a copy of the complaint to the club and, within 30 days, investigate the alleged discrimination and inform the complainant in writing if it intends to resolve the complaint.<sup>41</sup>

If the Commission or the Attorney General decides to resolve the complaint, it must attempt to eliminate or correct the alleged discriminatory practices of a club by the informal methods of conference, conciliation, and persuasion.<sup>42</sup> If the Commission or Attorney General fails to give notice of its intent to eliminate or correct the alleged discriminatory practices of a club within 30 days, or if the Commission or Attorney General fails to resolve the complaint within 30 days after giving such notice, the person or the Attorney General on behalf of the person filing the complaint may commence a civil action against the club, its officers, or its members to enforce its rights under the FCRA.<sup>43</sup> If the court finds a discriminatory practice has occurred at the club, the court may enjoin the club, its officers, or its members from engaging in such practice or may order other appropriate action.<sup>44</sup>

### III. Effect of Proposed Changes:

#### Florida Commission on Human Relations

**Section 1** amends s. 760.03, F.S., to change the number of commissioners required for a quorum from seven to a majority of the currently appointed commissioners. This change should avoid a situation where action needs to be taken but, due to unfilled commissioner slots, having seven commissioners is impracticable. For example, the section allows the Commission, as it sits today with only six commissioners, to meet and conduct business with a quorum of four members. The section also establishes a quorum of three members for panels.

**Section 2** amends s. 760.065, F.S., to allow the Commission to recommend fewer than 10 people for the Florida Civil Rights Hall of Fame each year. Currently, the Commission must recommend exactly 10 people each year, while the Governor may accept between zero and three new members. This prevents the Commission from violating the law when they receive fewer than 10 nominations from which to select.

**Section 3** amends s. 760.11, F.S., to require the Commission to notify an aggrieved person of the failure to conciliate or determine reasonable cause if the Commission fails to make a

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<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> Section 760.60(2), F.S.

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> Section 760.60(3), F.S.

<sup>44</sup> *Id.*

determination within 180 days of the complaint's filing. It further requires that this notice include a statement of the aggrieved person's rights.

The section requires that any civil action must be commenced within 1 year after the Commission's notice of dismissal is mailed.

### **Florida Fair Housing Act**

**Section 4** deletes s. 760.29(4)(e), F.S., and removes the requirement that facilities and communities designed for the housing of elderly persons must register with the Commission, renew the registration every two years, and pay associated fees and fines.

**Section 5** amends s. 760.31, F.S., to remove instructions for fees, forms, and procedures made obsolete by changes made in Section 4 of the bill.

### **Discriminatory Practices in Certain Clubs**

**Section 6** amends s. 760.60, F.S., to delete the requirement that the Commission or the Attorney General investigate the public accommodation discrimination complaint. The section also extends from 30 days to 45 days the time for the Commission or the Attorney General to resolve the dispute.

### **State Employee Whistle-Blower's Act**

**Section 7** amends s. 112.31895, F.S., to alter various deadlines and time constraints regarding the Commission's fact-finding investigation period for a whistleblower retaliation claim. Specifically, Section 7:

- Increases the time from 3 to 5 working days to acknowledge receipt of a complaint;
- Removes the requirement that the Commission separately acknowledge receipt of a complaint;
- Increases the time from 90 to 180 days for the Commission to complete its fact-finding report;
- Decreases the time from 60 to 35 days for the Commission to terminate its investigation after receipt of the fact-finding report if the Commission is unable to conciliate a complaint;
- Increases the time from 20 to 35 days for the relevant agency to implement the Commission's recommended action; and
- Decreases the time from 60 to 21 days for a complainant to appeal following a notice of termination of the investigation.

These changes bring most of the timeframes for s. 112.31895, F.S., (whistleblower) complaint investigations in line with complaints filed with the Commission under s. 760.11, F.S. (discrimination complaints).

The bill takes effect July 1, 2020.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

Not applicable. The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None identified.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

Elderly housing organizations will no longer have to register every 2 years, which may have an indeterminate positive impact.

**C. Government Sector Impact:**

The Commission will have a longer period of time to investigate whistleblower allegations, which will allow it more freedom in organizing its efforts. The Commission will no longer have to register elderly housing organizations. Both changes may have an indeterminate impact on workload of the Commission but is not expected to impact overall revenues or expenditures of the Commission.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 760.03, 760.065, 760.11, 760.29, 760.31, 760.60, and 112.31895.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Rouson

19-01053-20

2020726\_\_

1 A bill to be entitled  
 2 An act relating to the Florida Commission on Human  
 3 Relations; amending s. 760.03, F.S.; revising quorum  
 4 requirements for the Commission on Human Relations and  
 5 its panels; amending s. 760.065, F.S.; revising the  
 6 number of persons the commission must recommend for  
 7 the Florida Civil Rights Hall of Fame; amending s.  
 8 760.11, F.S.; requiring the commission to provide  
 9 notice to an aggrieved person under specified  
 10 circumstances; providing notice requirements; limiting  
 11 the time the aggrieved person has to commence a civil  
 12 action regarding a violation of the Florida Civil  
 13 Rights Act; amending s. 760.29, F.S.; deleting a  
 14 requirement that a facility or community that provides  
 15 housing for older persons register with and submit a  
 16 letter to the commission; amending s. 760.31, F.S.;  
 17 conforming a provision to changes made by the act;  
 18 amending s. 760.60, F.S.; deleting the requirement for  
 19 the commission or Attorney General to investigate a  
 20 complaint of discrimination in evaluating an  
 21 application for club membership; revising the length  
 22 of time the commission or Attorney General has to  
 23 resolve such a complaint; amending s. 112.31895, F.S.;  
 24 revising the timeline relating to a complaint alleging  
 25 a prohibited personnel action; deleting a requirement  
 26 that the commission notify a complainant upon receipt  
 27 of the complaint; providing an effective date.  
 28  
 29 Be It Enacted by the Legislature of the State of Florida:

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30  
 31 Section 1. Subsection (5) of section 760.03, Florida  
 32 Statutes, is amended to read:  
 33 760.03 Commission on Human Relations; staff.-  
 34 (5) A quorum is necessary for the conduct of official  
 35 business. Unless otherwise provided by law, a quorum consists of  
 36 a majority of the currently appointed commissioners. ~~Seven~~  
 37 ~~members shall constitute a quorum for the conduct of business;~~  
 38 ~~however,~~ The commission may establish panels of not less than  
 39 three of its members to exercise its powers under the Florida  
 40 Civil Rights Act of 1992, subject to such procedures and  
 41 limitations as the commission may provide by rule.  
 42 Notwithstanding this subsection, three appointed members serving  
 43 on panels shall constitute a quorum for the conduct of official  
 44 business of the panel.  
 45 Section 2. Paragraph (a) of subsection (3) of section  
 46 760.065, Florida Statutes, is amended to read:  
 47 760.065 Florida Civil Rights Hall of Fame.-  
 48 (3) (a) The commission shall annually accept nominations for  
 49 persons to be recommended as members of the Florida Civil Rights  
 50 Hall of Fame. The commission shall recommend up to 10 persons  
 51 from which the Governor shall select up to 3 hall-of-fame  
 52 members.  
 53 Section 3. Subsection (8) of section 760.11, Florida  
 54 Statutes, is amended to read:  
 55 760.11 Administrative and civil remedies; construction.-  
 56 (8) If ~~in the event that~~ the commission fails to conciliate  
 57 or determine whether there is reasonable cause on any complaint  
 58 under this section within 180 days of the filing of the

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59 complaint;

60 (a) An aggrieved person may proceed under subsection (4) if  
61 as if the commission determined that there was reasonable cause.

62 (b) The commission shall promptly notify the aggrieved  
63 person of the failure to conciliate or determine whether there  
64 is reasonable cause. The notice shall provide the options  
65 available to the aggrieved person under subsection (4) and  
66 inform the aggrieved person that a civil action is prohibited if  
67 not filed within 1 year after the date the commission certifies  
68 that the notice was mailed.

69 (c) Any civil action brought by an aggrieved person under  
70 this section must be commenced within 1 year after the date the  
71 commission certifies that the notice was mailed pursuant to  
72 paragraph (b).

73 Section 4. Subsection (4) of section 760.29, Florida  
74 Statutes, is amended to read:

75 760.29 Exemptions.—

76 (4) (a) Any provision of ss. 760.20-760.37 regarding  
77 familial status does not apply with respect to housing for older  
78 persons.

79 (b) As used in this subsection, the term "housing for older  
80 persons" means housing:

81 1. Provided under any state or federal program that the  
82 commission determines is specifically designed and operated to  
83 assist elderly persons, as defined in the state or federal  
84 program;

85 2. Intended for, and solely occupied by, persons 62 years  
86 of age or older; or

87 3. Intended and operated for occupancy by persons 55 years

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88 of age or older that meets the following requirements:

89 a. At least 80 percent of the occupied units are occupied  
90 by at least one person 55 years of age or older.

91 b. The housing facility or community publishes and adheres  
92 to policies and procedures that demonstrate the intent required  
93 under this subparagraph. If the housing facility or community  
94 meets the requirements of sub-subparagraphs a. and c. and the  
95 recorded governing documents provide for an adult, senior, or  
96 retirement housing facility or community and the governing  
97 documents lack an amendatory procedure, prohibit amendments, or  
98 restrict amendments until a specified future date, then that  
99 housing facility or community shall be deemed housing for older  
100 persons intended and operated for occupancy by persons 55 years  
101 of age or older. If those documents further provide a  
102 prohibition against residents 16 years of age or younger, that  
103 provision shall be construed, for purposes of the Fair Housing  
104 Act, to only apply to residents 18 years of age or younger, in  
105 order to conform with federal law requirements. Governing  
106 documents which can be amended at a future date must be amended  
107 and properly recorded within 1 year after that date to reflect  
108 the requirements for consideration as housing for older persons,  
109 if that housing facility or community intends to continue as  
110 housing for older persons.

111 c. The housing facility or community complies with rules  
112 made by the Secretary of the United States Department of Housing  
113 and Urban Development pursuant to 24 C.F.R. part 100 for  
114 verification of occupancy, which rules provide for verification  
115 by reliable surveys and affidavits and include examples of the  
116 types of policies and procedures relevant to a determination of



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117 compliance with the requirements of sub-subparagraph b. Such  
118 surveys and affidavits are admissible in administrative and  
119 judicial proceedings for the purposes of such verification.

120 (c) Housing shall not fail to be considered housing for  
121 older persons if:

122 1. A person who resides in such housing on or after October  
123 1, 1989, does not meet the age requirements of this subsection,  
124 provided that any new occupant meets such age requirements; or

125 2. One or more units are unoccupied, provided that any  
126 unoccupied units are reserved for occupancy by persons who meet  
127 the age requirements of this subsection.

128 (d) A person shall not be personally liable for monetary  
129 damages for a violation of this subsection if such person  
130 reasonably relied in good faith on the application of the  
131 exemption under this subsection relating to housing for older  
132 persons. For purposes of this paragraph, a person may show good  
133 faith reliance on the application of the exemption only by  
134 showing that:

135 1. The person has no actual knowledge that the facility or  
136 the community is ineligible, or will become ineligible, for such  
137 exemption; and

138 2. The facility or community has stated formally, in  
139 writing, that the facility or community complies with the  
140 requirements for such exemption.

141 ~~(e) A facility or community claiming an exemption under~~  
142 ~~this subsection shall register with the commission and submit a~~  
143 ~~letter to the commission stating that the facility or community~~  
144 ~~complies with the requirements of subparagraph (b)1.,~~  
145 ~~subparagraph (b)2., or subparagraph (b)3. The letter shall be~~

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146 ~~submitted on the letterhead of the facility or community and~~  
147 ~~shall be signed by the president of the facility or community.~~  
148 ~~This registration and documentation shall be renewed biennially~~  
149 ~~from the date of original filing. The information in the~~  
150 ~~registry shall be made available to the public, and the~~  
151 ~~commission shall include this information on an Internet~~  
152 ~~website. The commission may establish a reasonable registration~~  
153 ~~fee, not to exceed \$20, that shall be deposited into the~~  
154 ~~commission's trust fund to defray the administrative costs~~  
155 ~~associated with maintaining the registry. The commission may~~  
156 ~~impose an administrative fine, not to exceed \$500, on a facility~~  
157 ~~or community that knowingly submits false information in the~~  
158 ~~documentation required by this paragraph. Such fines shall be~~  
159 ~~deposited in the commission's trust fund. The registration and~~  
160 ~~documentation required by this paragraph shall not substitute~~  
161 ~~for proof of compliance with the requirements of this~~  
162 ~~subsection. Failure to comply with the requirements of this~~  
163 ~~paragraph shall not disqualify a facility or community that~~  
164 ~~otherwise qualifies for the exemption provided in this~~  
165 ~~subsection.~~

166  
167 A county or municipal ordinance regarding housing for older  
168 persons may not contravene the provisions of this subsection.

169 Section 5. Subsection (5) of section 760.31, Florida  
170 Statutes, is amended to read:

171 760.31 Powers and duties of commission.—The commission  
172 shall:

173 (5) Adopt rules necessary to implement ss. 760.20-760.37  
174 and govern the proceedings of the commission in accordance with

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 175 chapter 120. Commission rules shall clarify terms used with  
 176 regard to handicapped accessibility, exceptions from  
 177 accessibility requirements based on terrain or site  
 178 characteristics, and requirements related to housing for older  
 179 persons. ~~Commission rules shall specify the fee and the forms~~  
 180 ~~and procedures to be used for the registration required by s.~~  
 181 ~~760.29(4)(c).~~

182 Section 6. Subsections (2) and (3) of section 760.60,  
 183 Florida Statutes, are amended to read:

184 760.60 Discriminatory practices of certain clubs  
 185 prohibited; remedies.-

186 (2) A person who has been discriminated against in  
 187 violation of this act may file a complaint with the Commission  
 188 on Human Relations or with the Attorney General's Office of  
 189 Civil Rights. A complaint must be in writing and must contain  
 190 such information and be in such form as the commission requires.  
 191 Upon receipt of a complaint, the commission or the Attorney  
 192 General shall provide a copy to the person who represents the  
 193 club. Within 30 days after receiving a complaint, the commission  
 194 or the Attorney General shall ~~investigate the alleged~~  
 195 ~~discrimination and~~ give notice in writing to the person who  
 196 filed the complaint if it intends to resolve the complaint. If  
 197 the commission or the Attorney General decides to resolve the  
 198 complaint, it shall attempt to eliminate or correct the alleged  
 199 discriminatory practices of a club by informal methods of  
 200 conference, conciliation, and persuasion.

201 (3) If the commission or the Attorney General fails, within  
 202 30 days after receiving a complaint filed pursuant to subsection  
 203 (2), to give notice of its intent to eliminate or correct the

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 204 alleged discriminatory practices of a club, or if the commission  
 205 or the Attorney General fails to resolve the complaint within 45  
 206 ~~30~~ days after giving such notice, the person or the Attorney  
 207 General on behalf of the person filing the complaint may  
 208 commence a civil action in a court against the club, its  
 209 officers, or its members to enforce this section. If the court  
 210 finds that a discriminatory practice occurs at the club, the  
 211 court may enjoin the club, its officers, or its members from  
 212 engaging in such practice or may order other appropriate action.

213 Section 7. Subsections (1) and (2), paragraphs (d) and (e)  
 214 of subsection (3), and paragraph (a) of subsection (4) of  
 215 section 112.31895, Florida Statutes, are amended to read:

216 112.31895 Investigative procedures in response to  
 217 prohibited personnel actions.-

218 (1) (a) If a disclosure under s. 112.3187 includes or  
 219 results in alleged retaliation by an employer, the employee or  
 220 former employee of, or applicant for employment with, a state  
 221 agency, as defined in s. 216.011, that is so affected may file a  
 222 complaint alleging a prohibited personnel action, which  
 223 complaint must be made by filing a written complaint with the  
 224 Office of the Chief Inspector General in the Executive Office of  
 225 the Governor or the Florida Commission on Human Relations, no  
 226 later than 60 days after the prohibited personnel action.

227 (b) Within 5 ~~three~~ working days after receiving a complaint  
 228 under this section, the office or officer receiving the  
 229 complaint shall acknowledge receipt of the complaint and provide  
 230 copies of the complaint and any other preliminary information  
 231 available concerning the disclosure of information under s.  
 232 112.3187 to each of the other parties named in paragraph (a),

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233 which parties shall each acknowledge receipt of such copies to  
 234 the complainant.

235 (2) FACT FINDING.—The Florida Commission on Human Relations  
 236 shall:

237 (a) Receive any allegation of a personnel action prohibited  
 238 by s. 112.3187, including a proposed or potential action, and  
 239 conduct informal fact finding regarding any allegation under  
 240 this section, to the extent necessary to determine whether there  
 241 are reasonable grounds to believe that a prohibited personnel  
 242 action under s. 112.3187 has occurred, is occurring, or is to be  
 243 taken.

244 ~~(b) Notify the complainant, within 15 days after receiving~~  
 245 ~~a complaint, that the complaint has been received by the~~  
 246 ~~department.~~

247 (b)(e) Within 180 ~~90~~ days after receiving the complaint,  
 248 provide the agency head and the complainant with a fact-finding  
 249 report that may include recommendations to the parties or  
 250 proposed resolution of the complaint. The fact-finding report  
 251 shall be presumed admissible in any subsequent or related  
 252 administrative or judicial review.

253 (3) CORRECTIVE ACTION AND TERMINATION OF INVESTIGATION.—

254 (d) If the Florida Commission on Human Relations is unable  
 255 to conciliate a complaint within 35 ~~60~~ days after receipt of the  
 256 fact-finding report, the Florida Commission on Human Relations  
 257 shall terminate the investigation. Upon termination of any  
 258 investigation, the Florida Commission on Human Relations shall  
 259 notify the complainant and the agency head of the termination of  
 260 the investigation, providing a summary of relevant facts found  
 261 during the investigation and the reasons for terminating the

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262 investigation. A written statement under this paragraph is  
 263 presumed admissible as evidence in any judicial or  
 264 administrative proceeding but is not admissible without the  
 265 consent of the complainant.

266 (e)1. The Florida Commission on Human Relations may request  
 267 an agency or circuit court to order a stay, on such terms as the  
 268 court requires, of any personnel action for 45 days if the  
 269 Florida Commission on Human Relations determines that reasonable  
 270 grounds exist to believe that a prohibited personnel action has  
 271 occurred, is occurring, or is to be taken. The Florida  
 272 Commission on Human Relations may request that such stay be  
 273 extended for appropriate periods of time.

274 2. If, in connection with any investigation, the Florida  
 275 Commission on Human Relations determines that reasonable grounds  
 276 exist to believe that a prohibited action has occurred, is  
 277 occurring, or is to be taken which requires corrective action,  
 278 the Florida Commission on Human Relations shall report the  
 279 determination together with any findings or recommendations to  
 280 the agency head and may report that determination and those  
 281 findings and recommendations to the Governor and the Chief  
 282 Financial Officer. The Florida Commission on Human Relations may  
 283 include in the report recommendations for corrective action to  
 284 be taken.

285 3. If, after 35 ~~20~~ days, the agency does not implement the  
 286 recommended action, the Florida Commission on Human Relations  
 287 shall terminate the investigation and notify the complainant of  
 288 the right to appeal under subsection (4), or may petition the  
 289 agency for corrective action under this subsection.

290 4. If the Florida Commission on Human Relations finds, in

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291 consultation with the individual subject to the prohibited  
292 action, that the agency has implemented the corrective action,  
293 the commission shall file such finding with the agency head,  
294 together with any written comments that the individual provides,  
295 and terminate the investigation.

296 (4) RIGHT TO APPEAL.—

297 (a) Not more than 21 ~~60~~ days after receipt of a notice of  
298 termination of the investigation from the Florida Commission on  
299 Human Relations, the complainant may file, with the Public  
300 Employees Relations Commission, a complaint against the  
301 employer-agency regarding the alleged prohibited personnel  
302 action. The Public Employees Relations Commission shall have  
303 jurisdiction over such complaints under ss. 112.3187 and  
304 447.503(4) and (5).

305 Section 8. This act shall take effect July 1, 2020.



The Florida Senate

## Committee Agenda Request

**To:** Senator David Simmons, Chair  
Committee on Judiciary

**Subject:** Committee Agenda Request

**Date:** December 10, 2019

---

I respectfully request that **Senate Bill #726**, relating to Florida Commission on Human Relations, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in cursive script that reads "Darryl Ervin Rouson".

---

Senator Darryl Ervin Rouson  
Florida Senate, District 19

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

15 Jan 20  
Meeting Date

726  
Bill Number (if applicable)

Topic SB 726

Amendment Barcode (if applicable)

Name Christopher Turner

Job Title Deputy Director Legislative Affairs - ~~FCHR~~

Address \_\_\_\_\_  
Street

Phone 850-901-8761

City

State

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Commission on Human Relations

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

726

Bill Number (if applicable)

Topic FCHR

Amendment Barcode (if applicable)

Name DAVID DANIEL

Job Title \_\_\_\_\_

Address 311 EAST PARK AVE

Phone 224-5081

Street

TuH

City

FL

State

32301

Zip

Email d.daniel@smithbyzantand  
myer

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FLORIDA CHAMBER OF COMMERCE

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

8/1/13/20  
Meeting Date

SB 726  
Bill Number (if applicable)

Topic Florida Civil Right

Amendment Barcode (if applicable)

Name Greg Pound

Job Title \_\_\_\_\_

Address 9106 Sunrise Dr.

Phone \_\_\_\_\_

Street

Largo  
City

Fl.  
State

33773  
Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

S-001 (10/14/14)



**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Judiciary

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BILL: SB 748

INTRODUCER: Senator Flores

SUBJECT: Takings Claims Within Areas of Critical State Concern

DATE: January 14, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Cibula	JU	<b>Favorable</b>
2.			CA	
3.			AP	

---

**I. Summary:**

SB 748 establishes the Florida Keys Property Rights Protection Act. The Act provides that the state and a local government located in an area of critical state concern must share equally in judgments if they both are defendants in property rights-related litigation in state court and if:

- The court has found both the state and local government liable for the taking; and
- The regulation restricting development or use, which was the basis of the judgment, was mandated or approved by the state land planning agency or the Administration Commission.

The Act further provides that it applies to judgments by a state court entered jointly and severally against the state and local government before the Act takes effect and becomes law. In those circumstances, the state must reimburse the local government for half of the total amount that the local government paid to satisfy the judgment.

Finally, the Act provides that if the judgment is entered by a federal court against a local government, the state must reimburse the local government for half of the amounts paid by the local government to the claimant.

**II. Present Situation:**

The adoption of development regulations can impose significant burdens on a property owner's rights. These regulations can be especially significant in areas designated as areas of critical state concern.

Areas of critical state concern are designated by the Administration Commission, which is composed of the Governor and Cabinet, following a process set forth in statute.<sup>1</sup> Areas that qualify for designation include only:

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<sup>1</sup> Section 380.05, F.S.

An area containing, or having a significant impact upon, environmental or natural resources of regional or statewide importance, including, but not limited to, state or federal parks, forests, wildlife refuges, wilderness areas, aquatic preserves, major rivers and estuaries, state environmentally endangered lands, Outstanding Florida Waters, and aquifer recharge areas, the uncontrolled private or public development of which would cause substantial deterioration of such resources.<sup>2</sup>

Once designated, the area's land planning regulations must comply with the principles guiding development specified by the Administration Commission which must be approved by the Department of Economic Opportunity.<sup>3</sup>

Several areas have been designated as an area of critical state concern or have had their designations ratified by statute. These areas include the Big Cypress Area,<sup>4</sup> the Green Swamp Area,<sup>5</sup> the Apalachicola Bay Area,<sup>6</sup> and the Florida Keys Area.<sup>7</sup>

With respect to the Florida Keys Area, land planning regulations that are subject to approval by the state must be consistent with the principles of protecting many different natural resources and making affordable housing available.<sup>8</sup> Additionally, these regulations must be consistent with "maintaining a hurricane evacuation clearance time for permanent residents of no more than 24 hours."<sup>9</sup>

A specific regulation that may form the basis of property rights-related litigation in the Florida Keys Area is the Monroe County Rate of Growth Ordinance.<sup>10</sup> Under this ordinance, Monroe County permits for new residential development are subject to an annual cap of 197 units plus unused allocations from previous years. Additionally, at least 71 but not more than 126 of the 197 permits must be allocated to affordable housing.

According to representatives from Monroe County, the total number of development permits that may be issued in the future is also capped in order to allow for sufficient hurricane evacuation clearance time. As a result, the number of undeveloped lots for which owners may seek development permits exceeds the total number of permits that will ultimately be available. This is expected to provide the impetus for additional property-rights related litigation when the available permits are exhausted in 2023.

### **Informal Agreement for Shared Defense and Liability with the State**

Because the state and the local government in an area designated as an area of critical state concern are involved in the applicable land planning regulations, both the state and the area can

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<sup>2</sup> Section 380.05(2), F.S.

<sup>3</sup> Section 380.05(6), F.S.

<sup>4</sup> Section 380.055, F.S.

<sup>5</sup> Section 380.0551, F.S.

<sup>6</sup> Section 380.0555, F.S.

<sup>7</sup> Section 380.0552, F.S.

<sup>8</sup> Section 380.0552(1)(d), F.S.

<sup>9</sup> Section 380.0552(9)(a)2., F.S.

<sup>10</sup> Rule 28-20.140(2), F.A.C.

be defendants in property-rights based litigation or litigation involving inverse condemnation or takings claims.

With respect to Monroe County and the Florida Keys Area, the state and Monroe County have been operating under an informal agreement for 15 years to defend against property-rights related litigation and share equally in judgments awarded against them.<sup>11</sup> Judgments in property-rights related litigation arising out of the state-approved Monroe County land development regulations are starting to be entered. And in a judgment provided as an example by Monroe County, the judgment was entered against the county and the state, jointly and severally.<sup>12,13</sup>

### **Eminent Domain and Inverse Condemnation**

In an eminent domain action the government, as the plaintiff, asserts its power to take private property for a public use. In compliance with the United States Constitution, the government must compensate the land owner for the loss.<sup>14</sup> The Florida Constitution similarly states that no private property may be taken except for a public purpose and each owner must be fully compensated.<sup>15</sup> In an inverse condemnation action, however, the government has “taken” private property without the owner’s consent, either through its activities or conduct, and without adequate compensation. Because the government has not adequately compensated the property owner, the property owner is the plaintiff who sues to recover the value of property that has been taken.<sup>16</sup>

There are several forms of takings, one being by regulatory action. In those instances, the trial judge is the trier of all legal and factual issues, except for the issue of what constitutes just compensation for damages.<sup>17</sup> Damages are determined by a jury. For a landowner to be fully compensated, prejudgment interest reaching back to the date of the taking must be permitted.<sup>18</sup> Attorney fees and costs are also recoverable at the trial level and on appeal.<sup>19</sup>

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<sup>11</sup> Correspondence from Jonathan A. Glogau explaining the Monroe County land development regulations and the informal agreement with the state dated March 6, 2019. (On file with the Committee on Judiciary).

<sup>12</sup> *Thomas and Collins v. Monroe County*, Case No. 04-CA-379-M (Fla. 16th Cir. Ct. Feb. 15, 2017).

<sup>13</sup> The Legislature acknowledged in s.7, ch. 2006-223, Laws of Fla., that the state may have some liability for inverse condemnation actions in the Florida Keys Area due to the state’s role in adopting land use regulations for the area as follows:

If the designation of the Florida Keys Area as an area of critical state concern is removed, the state shall be liable in any inverse condemnation action initiated as a result of Monroe County land use regulations applicable to the Florida Keys Area as described in chapter 28-29, Florida Administrative Code, and adopted pursuant to instructions from the Administration Commission or pursuant to administrative rule of the Administration Commission, to the same extent that the state was liable on the date the Administration Commission determined that substantial progress had been made toward accomplishing the tasks of the work program as defined in s. 380.0552(4)(c), Florida Statutes.

<sup>14</sup> The Fifth Amendment to the United States Constitution provides “. . . nor shall private property be taken for public use without just compensation.”

<sup>15</sup> FLA. CONST. art. X, s. 6.

<sup>16</sup> 21 FLA. JUR 2d Eminent Domain, s. 221.

<sup>17</sup> *Id.*, at s. 223.

<sup>18</sup> 21 FLA. JUR 2d Eminent Domain at s. 236.

<sup>19</sup> *Id.*, at s. 237.

## Relief from Burdens on Real Property Rights, Chapter 70, F.S.

The Legislature enacted the “Bert J. Harris, Jr., Private Property Rights Act” in 1995. The Legislature recognized that some laws, regulations, and ordinances of the state and its entities could inordinately burden, restrict, or limit private property rights without amounting to a taking under either the State Constitution or the United States Constitution.<sup>20</sup> The act provides a process whereby private landowners may seek relief and recover damages when their property is inordinately burdened by the actions of a government.<sup>21</sup>

### Recent U.S. Supreme Court Decision on Takings Claim

In June, 2019, the U.S. Supreme Court rendered a decision, *Knick v. Township of Scott, Pennsylvania*,<sup>22</sup> which significantly changes how and when property owner may initiate takings claims against state and local governments. Before the *Knick* decision, a landowner who had a takings claim generally was required to first pursue state remedies before he or she could bring the claim in federal court. Going the state court route first generally involved the plaintiff spending a large sum of money and time. If the plaintiff did not prevail in state court, he or she could be barred from pursuing a claim in federal court. These barriers seemed to work against plaintiffs and to the advantage of defendants.<sup>23</sup> The *Knick* Court determined that requiring state-litigation before federal litigation imposed an unjustifiable burden on takings plaintiffs. The Court held that a property owner has an actionable Fifth Amendment takings claim as soon as a government takes his or her property for public use without paying for it, and the property owner may bring a claim in federal court at the time of the uncompensated taking.

### III. Effect of Proposed Changes:

The bill establishes the Florida Keys Property Rights Protection Act. The Act provides that the state and the local government located in an area of critical state concern must share equally in paying judgments including compensation, costs, attorney fees, and prejudgment interest if they both are defendants in property rights-related litigation and if:

- The court has found both the state and local government liable for the taking; and
- The regulation restricting development or use, which was the basis of the judgment, was mandated or approved by the state land planning agency or the Administration Commission.

These proceedings are brought pursuant to a claim for inverse condemnation or any other property-rights related action when the state is named as a codefendant or a third-party defendant by a local government in an area of critical state concern. A third-party defendant is “brought into a lawsuit by the original defendant”<sup>24</sup> who alleges that that the third-party defendant is at fault, or at least partially at fault, for the actions giving rise to the plaintiff’s lawsuit.

<sup>20</sup> Section 70.001, F.S.

<sup>21</sup> Amber L. Ketterer and Rafael E. Suarez-Rivas, *The Bert J. Harris, Jr., Private Property Rights Protection Act: An Overview, Recent Developments, and What the Future May Hold*, THE FLORIDA BAR JOURNAL, (Sept./Oct. 2015), <https://www.floridabar.org/the-florida-bar-journal/the-bert-j-harris-jr-private-property-rights-protection-act-an-overview-recent-developments-and-what-the-future-may-hold/>.

<sup>22</sup> *Knick v. Township of Scott, Pennsylvania*, 139 S. Ct. 2162, 204 L. Ed. 2d 558 (2019).

<sup>23</sup> Edward J. Sullivan, *In the Knick of Time: The Supreme Court Provides Direct Relief to Taking Claimants*, 42 No. 9 ZONING AND PLANNING LAW REPORT NL 1 (Oct. 2019).

<sup>24</sup> BLACK’S LAW DICTIONARY (11th ed. 2019).

If a claimant is successful, the Act requires the state court to enter separate judgments for the apportioned amounts against the state and local government. The Act further provides that a governmental entity named as a judgment debtor<sup>25</sup> is only liable for postjudgment interest<sup>26</sup> on the judgment entered against it. The governmental entity is not liable for postjudgment interest on the judgment entered against the other governmental entity. However, the Act does not prohibit a court from awarding a separate judgment for attorney fees and costs.

If, before the bill is enacted, a state court has entered a judgment jointly and severally against the state and a local government where each was found liable for the taking and the regulation was mandated or approved by the state land planning agency or the Administration Commission, the state is required to reimburse the local government for half of the total amount the local government paid to satisfy the judgment.

The Act also contemplates that a claimant may file property rights-related litigation in federal court against a local government based on regulations approved by the state. In those cases the Act requires the state to reimburse the local government for half of the total amount that the local government pays to satisfy any judgment, including interest, costs, and attorney fees.

The bill takes effect upon becoming law.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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<sup>25</sup> A judgment debtor is someone “against whom a money judgment has been entered but not yet satisfied.” BLACK’S LAW DICTIONARY (11th ed. 2014).

<sup>26</sup> Postjudgment interest is the amount of interest that a creditor is allowed to collect from a debtor after a judgment is rendered until the date it is paid by the debtor. TheLaw.com Dictionary <https://dictionary.thelaw.com/postjudgment-interest/>.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

No agency analyses have been provided that estimate the fiscal impact of this bill. However, the bill will provide the affected state and local governments with some certainty on their liability in property-rights related litigation in areas of critical state concern.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 380.050 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Flores

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1                               A bill to be entitled  
 2       An act relating to takings claims within areas of  
 3       critical state concern; providing a short title;  
 4       creating s. 380.0501, F.S.; providing for the  
 5       apportionment of awards of damages for takings claims  
 6       within areas of critical state concern; providing that  
 7       certain governmental entities are liable only for  
 8       certain postjudgment interest; providing construction;  
 9       requiring local governments to be reimbursed for  
 10      specified amounts under certain circumstances;  
 11      providing an effective date.  
 12  
 13      WHEREAS, the Florida Environmental Land and Water  
 14      Management Act of 1972 authorizes the Administration Commission  
 15      to designate areas of critical state concern, and  
 16      WHEREAS, the designated areas of critical state concern in  
 17      this state are Big Cypress Area, encompassing portions of  
 18      Collier, Miami-Dade, and Monroe Counties; Green Swamp Area,  
 19      encompassing portions of Polk and Lake Counties; Key West Area  
 20      in Monroe County; Florida Keys Area in Monroe County; and  
 21      Apalachicola Bay Area in Franklin County, and  
 22      WHEREAS, the Department of Economic Opportunity must review  
 23      and approve land development regulations or local comprehensive  
 24      plans or amendments submitted by an area of critical state  
 25      concern, and  
 26      WHEREAS, this state, through its chapter 380 oversight  
 27      authority over development in the Florida Keys, limits the  
 28      number of building permits that Monroe County and its  
 29      municipalities may issue each year for construction of new

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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30      housing units on undeveloped lots, and  
 31               WHEREAS, this state imposes such growth limits in the  
 32      Florida Keys and Key West Areas of Critical State Concern in  
 33      order to provide for safe and timely hurricane evacuation of  
 34      residents and visitors from the Florida Keys due to the limited  
 35      capacity of the Overseas Highway, the sole evacuation route for  
 36      most of the Keys, and  
 37               WHEREAS, Monroe County adopted its rate of growth ordinance  
 38      in 1992 as a direct result of state-imposed legislative and  
 39      administrative mandates that limit residential growth, and  
 40               WHEREAS, the number of privately owned, buildable, vacant  
 41      parcels in the Florida Keys vastly exceeds the number of permits  
 42      allocated by the state-imposed growth limits and the Florida  
 43      Keys is fast approaching "buildout," at which point no more  
 44      permits are to be allocated by the state, and  
 45               WHEREAS, the state-imposed growth limits have already  
 46      prompted a number of inverse condemnation and other property  
 47      rights-related suits when property owners have been unable to  
 48      obtain permits to build on undeveloped lots, and  
 49               WHEREAS, the state and the local governments in Monroe  
 50      County have been operating under a long-standing partnership  
 51      governing the joint defense of these cases through mutual  
 52      litigation support and cooperation in exchange for an  
 53      understanding that each entity would bear half of any liability  
 54      imposed, and  
 55               WHEREAS, the joint defense partnership has resulted in  
 56      successful defenses in 26 of the 28 claims to date, and  
 57               WHEREAS, property owners in areas of critical state concern  
 58      who obtain inverse condemnation and other property rights-

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59 related compensation awards deserve to have their awards paid in  
60 a timely manner, and

61 WHEREAS, current law hinders the ability of the state to  
62 meet its own obligation to expeditiously compensate the property  
63 owners, and

64 WHEREAS, when a court has determined that a parcel has been  
65 taken as a result of the state-imposed growth limits, the  
66 Legislature should provide the property owner with a more  
67 expedient and certain process for recovering the compensation  
68 due him or her from the local government and the state, as  
69 guaranteed under the United States Constitution and the Florida  
70 Constitution, NOW, THEREFORE,

71  
72 Be It Enacted by the Legislature of the State of Florida:

73  
74 Section 1. This act may be cited as the "Florida Keys  
75 Property Rights Protection Act."

76 Section 2. Section 380.0501, Florida Statutes, is created  
77 to read:

78 380.0501 Apportionment of awards of damages for takings  
79 claims within an area of critical state concern.-

80 (1) In a state court proceeding brought for inverse  
81 condemnation, or any other property rights-related action for  
82 compensation in which the state is named as a codefendant with a  
83 local government located in an area of critical state concern or  
84 is named as a third-party defendant by a local government  
85 located in an area of critical state concern, the court shall  
86 require the state and the local government to each pay half of  
87 any award of compensation, costs, attorney fees, and prejudgment

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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88 interest to the property owner if:

89 (a) The court has found both the state and the local  
90 government liable for the taking; and

91 (b) The regulation restricting development or use of the  
92 property was mandated or approved by the state land planning  
93 agency or the Administration Commission under s. 380.05.

94 (2) The state court shall enter separate judgments against  
95 the state and local government for the apportioned amounts.

96 (3) A governmental entity named as a judgment debtor in a  
97 judgment entered under this section is only liable for  
98 postjudgment interest on the judgment entered against it and is  
99 not liable for postjudgment interest on the judgment entered  
100 against the other governmental entity. This section does not  
101 prohibit a court from awarding a separate judgment for attorney  
102 fees and costs pursuant to the limitations set forth in this  
103 section.

104 (4) If, before the date of enactment of this section, a  
105 state court has entered a judgment jointly and severally against  
106 the state and a local government in a case that satisfies the  
107 conditions in paragraphs (1) (a) and (b), the state must  
108 reimburse the local government for 50 percent of the total  
109 amount the local government paid to satisfy that judgment.

110 (5) If a federal court grants any award of compensation,  
111 costs, attorney fees, or prejudgment interest on a claim for  
112 inverse condemnation or any other property rights-related action  
113 against a local government located in an area of critical state  
114 concern and the claim involves a land development regulation  
115 mandated or approved by the state land planning agency or the  
116 Administration Commission under s. 380.05, the state must

Page 4 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.



39-00726-20

2020748\_\_

117 reimburse the local government for 50 percent of the total  
118 amount the local government paid, inclusive of interest, costs,  
119 and attorney fees.

120 Section 3. This act shall take effect upon becoming a law.



The Florida Senate

## Committee Agenda Request

**To:** Senator David Simmons, Chair  
Committee on Judiciary

**Subject:** Committee Agenda Request

**Date:** November 25, 2019

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I respectfully request that **Senate Bill #748**, relating to Takings Claims Within Areas of Critical State Concern, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

*Anitere Flores*

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Senator Anitere Flores  
Florida Senate, District 39

March 6, 2019

William Chorba  
General Counsel  
Department of Economic Opportunity  
107 East Madison Street  
Caldwell Building  
Tallahassee, Florida 32399-4120

**Re: Monroe County and State Litigation Partnership**

Dear Mr. Chorba:

I am a recently retired attorney having served in the Office of the Attorney General for over 30 years. My title was Special Counsel, Chief of Complex Litigation for many of those years. One of my many responsibilities was representation of the Department of Community Affairs and then Department of Economic Opportunity in a series of inverse condemnation cases filed against Monroe County and the State beginning in 2004.

After the adoption of the Monroe County 2010 Comprehensive Plan, several groups of landowners filed lawsuits claiming that the adoption of the Plan and the Rate of Growth Ordinance (ROGO) used to implement the Plan denied them all reasonable use of their properties resulting in the government taking those properties. Those suits sought full compensation under the provisions of the Florida Constitution. Initially, those suits were filed against Monroe County. Monroe County was designated under ch. 380, Fla. Stat. as an Area of Critical State Concern. Because of that designation, the Department is responsible for reviewing and approving amendments to the County's comprehensive plans and land development regulations to ensure they are consistent with the state statutory principles that must guide development in the Florida Keys. In addition, the Administration Commission, comprised of the Governor and Cabinet, has authority to adopt and insert provisions into the Monroe County plan.

ROGO is a point-based system used to allocate the limited number of building permits that the State allows Monroe County to issue each year based on

infrastructure and environmental factors. A property owner's ROGO allocation application is scored and the applications with the highest scores are allocated permits for the current year. This limit on permits was enacted to ensure proper evacuation times in the event of a catastrophic hurricane hitting the Keys. Because this is an issue of state concern, the State Administration Commission required the adoption of ROGO.

Because ROGO and other state-mandated regulations were the basis of the inverse condemnation claims, Monroe County brought the State into the early cases as a third-party defendant. (the State was then named as a direct defendant by property owners in several cases). When it became apparent that the State was going to be involved in defending these cases, a meeting was convened which included the undersigned, the Secretary and General Counsel of the DCA, a representative of the County Commission, the County Attorney and the County's outside counsel. During that meeting it was agreed by all that the most efficient way to defend these cases was for the County and the State to work together as partners. It was also agreed that if a judgment was ever entered in a landowner's favor, the State and County would each shoulder half the payment. From the State's position, this compromise made sense because, any judgment being joint and several, the State would have had to defend either a contribution/subrogation claim by Monroe County or an attempt by the landowner to seek satisfaction of the entire judgment. The prospect of a favorable outcome (i.e. better than 50/50) against Monroe County in Monroe County seemed slim at the time.

After this meeting, the undersigned and representatives of the DCA met with Gov. Jeb Bush. At that meeting, the situation outlined above was presented to the Governor. After a long discussion, the Governor agreed that a partnership between the County and the State was both an effective way to marshal our defenses and, because the limitations causing the alleged takings were either mandated by or adopted by the state, an equitable division of responsibility.

Based on those agreements, the County and State worked diligently as equal partners for over 14 years. This partnership proved successful at both the trial and appellate levels. In *Emmert*, for example, the County and State prevailed against vested rights and inverse condemnation claims relating to red-flag wetland regulations that were compelled by the State. In *Collins*, the County and State prevailed against ROGO-related inverse condemnation claims of nine out of ten plaintiffs (an appeal remains pending on the judgment of liability in favor of

Donald Davis, the tenth Plaintiff). In *Galleon Bay*, the County and State prevailed at the trial level, but the Third District reversed and mandated a finding of a taking. In the subsequent jury trial on compensation, the County and State effectively collaborated to obtain a jury verdict for \$285,000 (almost exactly our appraisal) in the face of a \$3 million claim by the Plaintiff. My understanding is that the Third District affirmed that verdict last month.

It is my belief that the success of the governments in defending these cases forestalled the filing of taking cases on many of the thousands of remaining vacant privately-held lots in Monroe County saving the County and State an incalculable amount of money. By any measure, the agreement between the County and the State has been a great success and, although this agreement has never been reduced to writing, I believe it should continue to be honored.

As I mentioned at the beginning, I am recently retired and living in Tallahassee. I would be happy to speak with representatives of the State or attend a meeting to discuss this matter.

Sincerely,

  
Jonathan A. Glogau, Esq.

cc: Robert Shillinger  
Monroe County Florida

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/15/2020

*Meeting Date*

748

*Bill Number (if applicable)*

Topic Takings Claims Within Areas of Critical State Concern

*Amendment Barcode (if applicable)*

Name Chuck Lindsey

Job Title City Manager, City of Marathon

Address 9805 Overseas Highway

Phone 305-289-4130

*Street*

Marathon

FL

33050

Email lindseyc@ci.marathon.fl.us

*City*

*State*

*Zip*

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing City of Marathon, Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

1/15/20

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

748

Meeting Date

Bill Number (if applicable)

Topic SB 748

Amendment Barcode (if applicable)

Name LISA TENNYSON

Job Title LEG DIRECTOR, MONROE COUNTY

Address 1100 Simonfon St

Phone 305 509 1709

Street

Key West FL 33040

City

State

Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing MONROE COUNTY Board of County Commission

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15

Meeting Date

748

Bill Number (if applicable)

Topic SB 748 - Takings Claims

Amendment Barcode (if applicable)

Name Bob Shillinger

Job Title County Attorney for Monroe County

Address 1100 Simonton St

Phone 305-747-4717

Street

Key West Florida 33040

Email shillingerbob@monroe-county-fl.gov

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Monroe County Board of County Commissioners

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/15/20

Meeting Date

SB 748

Bill Number (if applicable)

Topic Property Rights

Amendment Barcode (if applicable)

Name Greg Pounel

Job Title

Address 9166 Sunrise Dr.

Phone

Street

Largo

City

Fl.

State

33773

Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing FL Families

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Judiciary

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BILL: SB 1002

INTRODUCER: Senator Rodriguez

SUBJECT: Subpoenas

DATE: January 13, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Elsesser</u>	<u>Cibula</u>	<u>JU</u>	<b>Favorable</b>
2.	_____	_____	<u>ACJ</u>	_____
3.	_____	_____	<u>AP</u>	_____

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**I. Summary:**

SB 1002 expands the methods by which a law enforcement officer may effect service of an investigative subpoena, court order, or search warrant on an out-of-state corporation that provides electronic communication services or remote computing services. As expanded, service of the documents may be had on the corporation’s registered agent under the laws of the state in which service will be effected. The bill also states that out-of-state corporations doing business in Florida through the Internet may be served at any location where the corporation regularly accepts service.

The bill also specifies the means to enforce a subpoena on an in-state or out-of-state corporation that provides electronic communication services or remote computing services. If a corporation fails to comply with a properly-served subpoena, the bill allows a court, upon petition from the authority seeking the subpoena, to hold the non-complying corporation in indirect criminal contempt, and subject the entity to fines.

**II. Present Situation:**

A subpoena is a written order to compel an individual to give testimony on a particular subject, often before a court, but sometimes in other proceedings.<sup>1</sup> A subpoena duces tecum is a type of subpoena that requires the witness to produce a document or documents pertinent to a proceeding.<sup>2</sup> Section 27.04, F.S., “allows the state attorney to issue subpoenas duces tecum for records as part of an ongoing investigation.”<sup>3</sup> The state does not need to establish the relevance

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<sup>1</sup> *Subpoena*, Legal Information Institute (available at <https://www.law.cornell.edu/wex/subpoena>).

<sup>2</sup> *Subpoena duces tecum*, Legal Information Institute, (available at [https://www.law.cornell.edu/wex/subpoena\\_duces\\_tecum](https://www.law.cornell.edu/wex/subpoena_duces_tecum)).

<sup>3</sup> *State v. Investigation*, 802 So. 2d 1141, 1144 (Fla. 2d DCA 2001).

and materiality of the information sought through an investigative subpoena,<sup>4</sup> but the subject matter of the investigation must be confined to violations of criminal law.<sup>5</sup>

Section 92.605(2), F.S., describes subpoenas, court orders, and warrants issued in compliance with the Electronic Communications and Privacy Act.<sup>6</sup> The federal act and its Florida counterpart, s. 934.23, F.S., authorize law enforcement officer, state attorney, or judge to subpoena the records of an out-of-state corporation that provides electronic communication services or remote computing services to the public.

Upon service of a subpoena, court order, or warrant issued in compliance with s. 92.605, F.S. (and by extension with the Electronic Communications and Privacy Act), a corporation must comply within 20 days after receipt of the subpoena. However, if the recipient cannot comply within that time period, it must notify the law enforcement officer who sought the subpoena within the 20-day time period that the records cannot be provided and comply as soon as possible.<sup>7</sup> An “out-of-state corporation,” i.e., any corporation qualified to do business in Florida under s. 607.1501, F.S.,<sup>8</sup> is “properly served,” by subpoena or otherwise, when service is effected on that corporation’s registered agent.<sup>9</sup>

Section 92.605, F.S., does not expressly provide a law enforcement officer with a remedy when an out-of-state corporation fails to comply with a subpoena issued under that section.

### III. Effect of Proposed Changes:

The bill expands the avenues for service on an out-state corporation, allowing a law enforcement officer to effect service on an out-of-state corporation through its registered agent in Florida or pursuant to the laws of the state where process is to be served. The bill also states that service on an out-of-state corporation doing business in Florida “through the Internet” may also be made at any location where the corporation routinely accepts service.

If a corporation that provides electronic communication services or remote computing services fails to comply with a properly served subpoena the applicant seeking the subpoena may petition a court to compel compliance. The court may compel compliance by holding the entity in indirect criminal contempt<sup>10</sup> and may punish the entity by a fine of not less than \$100 and not more than \$1,000 per day for a maximum of 60 days.

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<sup>4</sup> *Id.*

<sup>5</sup> *Morgan v. State*, 309 So. 2d 552, 553 (Fla. 1975).

<sup>6</sup> 18 U.S.C. § 2701 et seq.

<sup>7</sup> Section 92.605(2)(b), F.S. If the entity seeking the subpoena shows and the court finds that failure to produce the requested records would produce an “adverse result,” i.e., physical harm, flight from prosecution, destruction of evidence, intimidation of witnesses, or jeopardy to the investigation, the court may order the records be produced earlier than 20 days.

Section 92.605(c), (1)(a), F.S. The court may also extend the time to comply with a subpoena if doing so will not cause an adverse result.

<sup>8</sup> Section 92.605(1)(e), F.S.

<sup>9</sup> Section 92.605(1)(h), F.S. Per s. 607.0505, F.S., a foreign corporation doing business in Florida must have a registered agent, and per s. 607.1507, F.S., such agent must be located in or authorized to transact business in Florida.

<sup>10</sup> Section 38.22, F.S., authorizes every court to “punish contempts against it whether such contempts be direct, indirect, or constructive.” As a common law crime, contempt may be punished “by fine or imprisonment, but the fine shall not exceed \$500, nor the imprisonment 12 months,” Section 775.02, F.S.

The bill does not define what activities constitute “transacting business in this state through the Internet.” Section 607.1501(2), F.S., provides a non-exhaustive list of activities that *do not* constitute “transacting business,” a list which includes “transacting business through interstate commerce.” If intended, it may be useful to clarify s. 92.605(2), F.S., to state that transacting business through interstate commerce through the Internet subjects a company to the new service procedures in s. 92.605(1)(h).

The bill takes effect on July 1, 2020.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill authorizes the imposition of fines and may cause subpoenaed corporations to incur costs to comply with the subpoenas.

C. Government Sector Impact:

The bill authorizes the imposition of fines and may generate revenues for the Clerks of Court Trust Fund.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 92.605, Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Rodriguez

37-00540A-20

20201002\_\_

A bill to be entitled

An act relating to subpoenas; amending s. 92.605, F.S.; revising the definition of "properly served"; authorizing an applicant to petition a court to compel compliance with a subpoena; authorizing a court to address noncompliance as indirect criminal contempt and impose a daily fine for a specified amount of time; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (h) of subsection (1) of section 92.605, Florida Statutes, is amended, and subsection (10) is added to that section, to read:

92.605 Production of certain records by Florida businesses and out-of-state corporations.—

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

(h) "Properly served" means delivery by hand or in a manner reasonably allowing for proof of delivery if delivered by United States mail, overnight delivery service, or facsimile to a person or entity properly registered to do business in any state. In order for an out-of-state corporation to be properly served, the service described in this paragraph must be effected on the corporation's registered agent in this state or as authorized under the laws of the state where process is to be served. Service on an out-of-state corporation doing business in this state through the Internet may also be made at any location where the corporation routinely accepts service.

(10) If a Florida business or an out-of-state corporation

Page 1 of 2

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20201002\_\_

refuses to comply with a properly served subpoena or does not comply with the requirements of subsection (2) or subsection (3), the applicant who sought the subpoena may petition a court of competent jurisdiction to compel compliance. The court may address the matter as indirect criminal contempt and may punish a business or corporation by a fine of not less than \$100 and not more than \$1,000 per day for a maximum of 60 days.

Section 2. This act shall take effect July 1, 2020.

Page 2 of 2

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## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:  
Judiciary, *Vice Chair*  
Appropriations Subcommittee on Agriculture,  
Environment and General Government  
Ethics and Elections  
Rules

SENATOR JOSE JAVIER RODRIGUEZ  
37th District

December 13, 2019

Chair Simmons  
Committee on Judiciary  
404 S. Monroe Street  
Tallahassee, FL 32399-1100  
*Sent via email to Simmons.David@flsenate.gov*

Chair Simmons,

I respectfully request that you place SB 1002 Subpoenas on the agenda of the Committee on Judiciary at your earliest convenience.

Should you have any questions or concerns, please feel free to contact me or my office. Thank you in advance for your consideration.

Thank you,

A handwritten signature in black ink, appearing to read "JR", written over a horizontal line.

Senator José Javier Rodríguez  
District 37

CC:

Tom Cibula, Staff Director  
Joyce Butler, Administrative Assistant  
Valerie Clarke, Legislative Assistant to Senator Simmons  
Carolyn Grzan, Legislative Assistant to Senator Simmons  
Diane Suddes, Legislative Assistant to Senator Simmons

REPLY TO:

2100 Coral Way, Suite 505, Miami, Florida 33145 (305) 854-0365  
 220 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5037

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

BILL GALVANO  
President of the Senate

DAVID SIMMONS  
President Pro Tempore