



Journal of the Senate

Number 12—Regular Session

Thursday, April 11, 2013

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CALL TO ORDER

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

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

PRAYER

The following prayer was offered by Bishop Designate Lewis Williams, Household of Faith Church, Jacksonville:

Father God, we come before you right now. Before we petition you, we would like to thank you. Because God, you watched over us last night. While we were all sleeping, meditating, and resting, you took care of us, and our families. God, that is very important.

Now God, we come together today for these Senators and all government officials to make decisions. As the President just addressed, God, it is not a Republican or Democratic decision, but a Florida decision on the bills that are passed. We thank you for leading and guiding our minds and hearts, and for helping us to be balanced. It is so important today for the life that we live to be balanced.

Now we pray corporately. God, I pray also that as individuals look at bills, and pass bills, that they will allow you to lead once again. So we pray, God, for understanding. We pray, God, for clarity. We pray, God, that no thoughts are narcissistic, but all thoughts, are being led by you.

So touch us now. We give you praise. We give you glory. God, as we end this prayer, you said in your word, "There is no other name under Heaven, given among men why we must be saved." Strengthen us now, move and bless us, and we'll give you glory. We thank you now. Amen.

PLEDGE

Senate Pages Austin Chapman of St. Augustine; Cameron Siefker and Cole Williams of Tallahassee; and Janise Wilson of Jacksonville led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. David Winchester of Gainesville, sponsored by Senator Bradley, as doctor of the day. Dr. Winchester specializes in Cardiology.

ADOPTION OF RESOLUTIONS

On motion by Senator Flores—

By Senator Flores—

SR 1786—A resolution recognizing the Herbert Wertheim College of Medicine at Florida International University.

WHEREAS, in March 2006, the State University System Board of Governors approved the creation of a new medical school at Florida International University in Miami and, in May 2006, the Legislature approved and Governor Jeb Bush signed into law legislation establishing the new medical school, and

WHEREAS, later that year, after considering many outstanding applicants, Florida International University selected John A. Rock, M.D., as the founding dean of the new medical school, and

WHEREAS, in 2007, Dean Rock recruited a stellar team, which included Executive Associate Dean for Academic Affairs Joe Leigh Simpson, Executive Associate Dean for Clinical Affairs J. Patrick O'Leary, and Executive Associate Dean for Student Affairs Sanford M. Markham, to develop an operational plan, which was accepted by the Liaison Committee on Medical Education (LCME), and

WHEREAS, in February 2008, the medical school won preliminary accreditation, which allowed the school to recruit medical students, and, on May 28, 2008, received a \$10 million donation from Benjamin León, Jr., and his family to establish the Benjamin León Jr. Family Center for Geriatric Research and Education, and

WHEREAS, in 2009, as the new medical school received its first class of students, Herbert A. Wertheim, the founding chairman of the College of Medicine and trustee emeritus of Florida International University, donated \$20 million to the medical school, which is named in his honor, and

WHEREAS, in 2010, the Herbert Wertheim College of Medicine received its second class of students, and

WHEREAS, Green Family Foundation NeighborhoodHELP (Health Education Learning Program), an innovative curriculum that is a model for new medical schools across the nation, has been recognized by the Herbert Wertheim College of Medicine as its signature educational

program because of its unwavering commitment to serving the community and educating future physicians to improve the health and quality of life of all Floridians, and

WHEREAS, in Green Family Foundation NeighborhoodHELP, medical students are expertly trained in the nonbiological causes of disease, ethics, cultural competency, interdisciplinary teamwork, and the social determinants of health which affect disease and health care outcomes of individuals and communities, and

WHEREAS, through Green Family Foundation NeighborhoodHELP, teams of medical, nursing, social work, and law students from Florida International University take responsibility for individuals in medically underserved households in Miami-Dade County to identify and respond to critical health and social needs, and

WHEREAS, in 2011, the LCME assessed the progress of the Herbert Wertheim College of Medicine and granted it provisional accreditation, after which it received its third class of students, and

WHEREAS, in 2012, the Herbert Wertheim College of Medicine received its fourth class of students and underwent its third assessment by the LCME, and

WHEREAS, on February 7, 2013, the Herbert Wertheim College of Medicine was awarded full accreditation by the LCME, and, on April 29, 2013, will graduate its first class of physicians receiving a Doctor of Medicine Degree, and

WHEREAS, it is projected that the Herbert Wertheim College of Medicine will have a cumulative economic impact on this state of about \$4.3 billion in the 10-year period from 2008 to 2018, and

WHEREAS, by 2025, the annual economic impact of the Herbert Wertheim College of Medicine is projected to reach between \$1.2 billion and \$1.5 billion, and is projected to create at least 12,500 jobs and generate about \$70 million in total tax revenue, a return of \$3 for every dollar invested in the program by the State of Florida, and

WHEREAS, this economic return does not fully reflect the improved quality of life of South Floridians as a direct result of the efforts of the Herbert Wertheim College of Medicine to make available quality health care, NOW, THEREFORE,

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

That we recognize the outstanding accomplishments of the Herbert Wertheim College of Medicine at Florida International University and celebrate its full accreditation by the Liaison Committee on Medical Education.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to John A. Rock, M.D., Dean of the Herbert Wertheim College of Medicine at Florida International University, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Flores, **SR 1786** was read the second time by title and adopted.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 86** was deferred.

CS for SB 1258—A bill to be entitled An act relating to a comprehensive health information system; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis as the Florida Health Information Transparency Initiative; providing a statement of purpose for the initiative; providing the duties of the Agency for Health Care Administration; revising the data and information required to be included in the health information system; revising the functions that the agency must perform in order to collect and disseminate health information and statistics; deleting provisions that require the center to provide technical assistance to persons and organizations engaged in health planning activities; deleting provisions that require the center to provide widespread dissemination of data; requiring the agency to implement the transparency initiative in a manner that recognizes state-

collected data as an asset and rewards taxpayer investment in information collection and management; authorizing the agency to apply for, receive, and accept grants, gifts, and other payments, including property and services, from a governmental or other public or private entity or person; requiring the agency to ensure that certain vendors do not inhibit or impede consumer access to state-collected health data and information; abolishing the State Consumer Health Information and Policy Advisory Council; amending ss. 381.026, 395.301, 465.0244, 627.6499, and 641.54, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for SB 1258** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Bean, Flores, Simmons, Thompson

CS for SB 646—A bill to be entitled An act relating to assisted living facilities; amending s. 394.4574, F.S.; providing that Medicaid prepaid behavioral health plans are responsible for enrolled mental health residents; providing that managing entities under contract with the Department of Children and Families are responsible for mental health residents who are not enrolled with a Medicaid prepaid behavioral health plan; deleting a provision to conform to changes made by the act; requiring that the community living support plan be completed and provided to the administrator of a facility upon the mental health resident's admission; requiring the community living support plan to be updated when there is a significant change to the mental health resident's behavioral health; requiring the case manager assigned to a mental health resident of an assisted living facility that holds a limited mental health license to keep a record of the date and time of face-to-face interactions with the resident and to make the record available to the responsible entity for inspection; requiring that the record be maintained for a specified time; requiring the responsible entity to ensure that there is adequate and consistent monitoring and enforcement of community living support plans and cooperative agreements and that concerns are reported to the appropriate regulatory oversight organization under certain circumstances; amending s. 400.0074, F.S.; providing that an administrative assessment conducted by a local council be comprehensive in nature and focus on factors affecting the rights, health, safety, and welfare of the residents of a nursing home; requiring a local council to conduct an exit consultation with the facility administrator or administrator designee to discuss issues and concerns in areas affecting rights, health, safety, and welfare of residents and make recommendations for improvement; amending s. 400.0078, F.S.; requiring that residents of long-term care facilities be informed that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; amending s. 429.07, F.S.; providing that an extended congregate care license is issued to certain facilities that have been licensed as assisted living facilities under certain circumstances; providing the purpose of an extended congregate care license; providing that the initial extended congregate care license of an assisted living facility is provisional under certain circumstances; requiring the licensee to notify the Agency for Health Care Administration

whenever it accepts a resident who qualifies for extended congregate care services; requiring the agency to inspect the facility for compliance with the requirements of an extended congregate care license; authorizing the agency to waive one of the required yearly monitoring visits under certain circumstances; authorizing the agency to deny or revoke a facility's extended congregate care license for certain reasons or on certain grounds; requiring a registered nurse representing the agency to visit the facility at least annually, rather than twice a year, to monitor residents who are receiving limited nursing services; providing that the agency's monitoring visits may be in conjunction with other agency inspections; authorizing the agency to waive one of the required yearly monitoring visits for certain facilities; amending s. 429.075, F.S.; requiring an assisted living facility that serves one or more mental health residents to obtain a limited mental health license; amending s. 429.14, F.S.; revising the actions in which the agency may deny, revoke, or suspend the license of an assisted living facility and impose an administrative fine; revising the criteria upon which the agency must deny or revoke the license of an assisted living facility; requiring the agency to impose an immediate moratorium on the license of an assisted living facility under certain circumstances; deleting a provision requiring the agency to provide a list of facilities with denied, suspended, or revoked licenses to the Department of Business and Professional Regulation; exempting a facility from the 45-day notice requirement if it is required to relocate some or all of its residents; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; revising the amounts and uses of administrative fines; requiring the agency to levy a fine for violations that are corrected before an inspection if noncompliance occurred within a specified period of time; deleting factors that the agency is required to consider to determine penalties and fines; amending s. 429.28, F.S.; requiring that residents of facilities be informed that the identity of the resident and complainant in a complaint made to the State Long-Term Care Ombudsman Program is confidential and that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; providing that a facility that terminates an individual's residency is fined if good cause is not shown in court; amending s. 429.34, F.S.; requiring certain persons to report elder abuse in assisted living facilities; requiring the agency to regularly inspect every licensed assisted living facility; requiring the agency to conduct more frequent inspections under certain circumstances; requiring the licensee to pay a fee for the cost of additional inspections; requiring the agency to adjust the fee; amending s. 429.52, F.S.; requiring each newly hired employee of an assisted living facility to attend a preservice orientation provided by the assisted living facility; requiring the employee and administrator to sign an affidavit upon completion of the preservice orientation; requiring the assisted living facility to maintain the signed affidavit in each employee's work file; conforming a cross-reference; requiring the Agency for Health Care Administration to study the reliability of facility surveys and submit to the Governor and the Legislature its findings and recommendations; requiring the agency to propose a rating system of assisted living facilities for consumers and create content for the agency's website that makes available to consumers information regarding assisted living facilities; providing criteria for the content; providing an effective date.

—was read the third time by title.

On motion by Senator Sobel, **CS for SB 646** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Bean, Flores

CS for CS for CS for SB 112—A bill to be entitled An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud or harass another, a document relating to the ownership, transfer, or encumbrance of, or claim against, real or personal property, or any interest in real or personal property; providing criminal penalties; establishing reclassified penalties for persons who commit the specified offenses a second or subsequent time when the person is a convicted offender who commits the specified offenses while incarcerated in a jail or participating in a community correctional program and when the victim of the offense is a public officer or employee or incurs financial losses under certain circumstances; authorizing the court to issue an injunction; authorizing a court to seal specified public or private records under certain circumstances; providing that the subject of the false statements has a civil cause of action against the perpetrator; providing for actual and punitive damages; providing that the prevailing party is entitled to costs and reasonable attorney fees; providing duties of the custodian of the official record; providing applicability; requiring that attorney fees be paid to the government agency that provides legal representation under certain circumstances; amending s. 843.0855, F.S.; revising definitions; defining the term “public officer or employee”; revising criminal penalties for criminal actions under color of law or through use of simulated legal process; providing legislative intent; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; providing severability; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for CS for SB 112** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Bean

CS for SB 934—A bill to be entitled An act relating to stormwater management permits; amending s. 373.4131, F.S.; deleting an obsolete reference; requiring that rules for environmental resource permitting provide for conceptual permits and associated general permits for a municipality or county that creates a stormwater management master plan for urban infill and redevelopment areas or community redevelopment areas; specifying requirements for a conceptual permit; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **CS for SB 934** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Bean

CS for CS for SB 1106—A bill to be entitled An act relating to agritourism; amending s. 570.96, F.S.; providing legislative intent; restricting a local government’s ability to regulate agritourism activity on agricultural land; amending s. 570.961, F.S.; revising the definition of the term “agritourism activity,” changing the term “agritourism professional” to “agritourism operator,” and adding a definition of the term “inherent risks of agritourism activity”; creating s. 570.963, F.S.; limiting the liability of an agritourism operator, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism operator, his or her employer, and any employee, and the owner of the underlying land from invoking the privileges of immunity if certain conditions are not met; providing criteria for the notice; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for SB 1106** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Bean

CS for CS for CS for SB 534—A bill to be entitled An act relating to publicly funded defined benefit retirement plans; amending s. 112.63, F.S.; deleting the requirement that required actuarial reports for retirement plans include a disclosure of the present value of the plan’s benefits; amending s. 112.66, F.S.; providing that the state is not liable for shortfalls in local government retirement systems or plans; creating

s. 112.664, F.S.; requiring a defined benefit system or plan to report certain information to the Department of Management Services by a certain date; requiring the plan sponsor to make certain information available on certain websites; providing consequences for failure to timely submit the required information; providing a method for a plan sponsor to request a hearing to contest such consequences; amending s. 112.665, F.S.; requiring the department to provide a fact sheet specifying certain information; providing a declaration of important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for CS for SB 534** was passed and certified to the House. The vote on passage was:

Yeas—22

Mr. President	Galvano	Negron
Altman	Gardiner	Richter
Bean	Grimsley	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Stargel
Brandes	Latvala	Thrasher
Diaz de la Portilla	Lee	
Flores	Legg	

Nays—18

Abruzzo	Evers	Ring
Braynon	Garcia	Sachs
Bullard	Gibson	Smith
Clemens	Joyner	Sobel
Dean	Margolis	Soto
Detert	Montford	Thompson

SB 1792—A bill to be entitled An act relating to medical negligence actions; amending s. 456.057, F.S.; authorizing a health care practitioner or provider who reasonably expects to be deposed, to be called as a witness, or to receive discovery requests to consult with an attorney on certain matters; authorizing the disclosure of patient information in connection with litigation under certain circumstances; prohibiting a medical liability insurer from selecting an attorney for a health care practitioner or provider or recommending that a practitioner or provider seek legal counsel on a particular matter; authorizing a medical liability insurer to recommend an attorney to a health care practitioner or provider under certain circumstances; restricting the health care practitioner’s or provider’s attorney from disclosing information to the medical liability insurer under certain circumstances; authorizing the health care practitioner’s or provider’s attorney to represent the insurer or other insureds of the insurer in unrelated matters; specifying exceptions to the limitations on disclosures by the attorney to the insurer of the practitioner or provider; amending s. 766.102, F.S.; revising qualifications to give expert testimony on the prevailing professional standard of care; deleting provision regarding limitations of section; amending s. 766.106, F.S.; providing that a prospective defendant may conduct an interview with a claimant’s treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization of release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct interviews with the claimant’s health care providers; amending s. 381.028, F.S.; conforming a cross-reference to changes made by the act; providing for application of the act to certain causes of action; providing an effective date.

—as amended April 10 was read the third time by title.

On motion by Senator Lee, **SB 1792** as amended was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Grimsley	Simmons
Brandes	Hukill	Simpson
Dean	Latvala	Sobel
Detert	Lee	Stargel
Evers	Legg	Thrasher

Nays—12

Abruzzo	Diaz de la Portilla	Sachs
Braynon	Gibson	Smith
Bullard	Joyner	Soto
Clemens	Ring	Thompson

Vote after roll call:

Yea—Hays

SPECIAL GUESTS

Senator Bean recognized his wife, Abigail, who was present in the gallery.

The President recognized Governor Rick Scott, who was present in the chamber.

By direction of the President, the rules were waived and the Senate reverted to—

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz April 11, 2013
President, The Florida Senate

Dear President Gaetz:

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

		<i>For Term Ending</i>
<i>Office and Appointment</i>		
Board of Accountancy		
Appointee:	Riggs, Stephen C. III	10/31/2016
Board of Acupuncture		
Appointee:	Vega, Herman E.	10/31/2014
Jacksonville Aviation Authority		
Appointees:	Davlantes, Teresa H.	09/30/2015
	Mackesy, Francis "Frank" J.	09/30/2015
Greater Orlando Aviation Authority		
Appointees:	Asher, Steven Dean	04/16/2016
	Palmer, James "Jim" R.	04/16/2016
	Sanchez, Domingo	04/16/2016
Florida Building Code Administrators and Inspectors Board		
Appointees:	Dudley, Fred R.	10/31/2016
	Lamas, Orlando	10/31/2013
Board of Chiropractic Medicine		
Appointee:	Fogarty, Kevin G.	10/31/2014
Board of Clinical Laboratory Personnel		
Appointees:	Valdes, Linda	10/31/2014
	Van Siclen, Carleen P.	10/31/2015
<i>Office and Appointment</i>		
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling		
Appointee:	Gillespy, Susan J.	10/31/2016
Florida Commission on Community Service		
Appointees:	Aloupis, Vance A.	09/14/2014
	Karlinsky, Autumn	09/14/2014
	Mullican, R. Wayne	09/14/2014
	Roden, Gerald T.	09/14/2014
	Wheelock, Sherry	09/14/2014
Board of Trustees of Brevard Community College		
Appointees:	Charpentier, Stephen G.	05/31/2015
	Haley, Myra K.	05/31/2014
	Harris, Dewey L.	05/31/2014
	Harvin, Moses L., Sr.	05/31/2015
Board of Trustees of Broward College		
Appointees:	Benz, John A.	05/31/2014
	Guerin, Sean C.	05/31/2015
	Stephany, Pamela	05/31/2015
	Tonkin, Elizabeth A.	05/31/2014
Board of Trustees of College of Central Florida		
Appointees:	Brancato, Joyce	05/31/2014
	Ghumman, Priya	05/31/2015
	Pool, Cory	05/31/2014
	Taylor, Donald L.	05/31/2015
Board of Trustees of Daytona State College		
Appointees:	Davis, Robert C.	05/31/2013
	Freckleton, Lloyd J.	05/31/2015
	Holness, Betty Jean	05/31/2015
	Hosseini, Forough B.	05/31/2015
	Lewis, Dwight D.	05/31/2015
Board of Trustees of Edison State College		
Appointees:	Chapman, Brian G., Jr.	05/31/2014
	Chapman, Tristan G.	05/31/2016
	Perry, Julia Greene	05/31/2016
	Rhone, Braxton C.	05/31/2013
	Starnes-Bilotti, Marjorie	05/31/2015
	Webb, Sankey E. III	05/31/2014
Board of Trustees of Florida State College at Jacksonville		
Appointees:	Bowling, Karen	05/31/2014
	Bryan, Thomas A.	05/31/2015
	Holloway, Candace T.	05/31/2014
	McGehee, Thomas R., Jr.	05/31/2015
	Shoemaker-Crump, Randle P.	05/31/2014
Board of Trustees of Florida Keys Community College		
Appointees:	Scales, Edwin A. III	05/31/2014
	Schmitt, Brian C.	05/31/2015
	Stoky, Robert C.	05/31/2014
Board of Trustees of Gulf Coast State College		
Appointees:	Dunn, Leah Ott	05/31/2015
	McKnight, James W.	05/31/2015
	Roberson, Ralph C.	05/31/2014
	Tannehill, Joe K., Jr.	05/31/2014
Board of Trustees of Hillsborough Community College		
Appointees:	Buchman, MarDee H.	05/31/2015
	Burt, James T. II	05/31/2014
	Pittman, Andrew V.	05/31/2014
Board of Trustees of Indian River State College		
Appointees:	Caron, Susan	05/31/2015
	Conrado, Jose L.	05/31/2015
	Luna, Christa C.	05/31/2014
	Raulerson, Phoebe H.	05/31/2014
	Schirard, J. Brantley, Jr.	05/31/2014
Board of Trustees of Lake-Sumter Community College		
Appointees:	Blankenship, R. Scott	05/31/2014

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Bowersox, Richard P.	05/31/2015	Board of Trustees of Valencia College	
Flores, Kelly L.	05/31/2015	Appointees: Hansen, Guillermo "Bill"	05/31/2014
Lee, Emily A.	05/31/2014	Oliver, Lewis M. III	05/31/2014
Rice, Kelly S.	05/31/2014	Perez, Fernando J.	05/31/2014
Board of Trustees of State College of Florida, Manatee-Sarasota		Education Practices Commission	
Appointees: Bailey, Edward	05/31/2013	Appointees: Basso, Cristina	09/30/2015
Beruff, Carlos	05/31/2016	Gold, Christie R.	09/30/2015
Moore, Ann	05/31/2014	Trop-Roberts, Elizabeth	07/31/2016
Moran, Lori A.	05/31/2015	Florida Housing Finance Corporation	
Neal, Charlene Jo	05/31/2015	Appointees: Demetree, Mary L.	11/13/2014
Robinson, Eric W.	05/31/2016	Munilla, Natacha	11/13/2014
Trigueiro, Craig A.	05/31/2014	Smith, Bernard E.	11/13/2014
Board of Trustees of Miami-Dade College		Board of Optometry	
Appointees: Cancio-Johnson, Mariana "Marili"	05/31/2015	Appointee: Underhill, Timothy E.	10/31/2015
Fuentes, Jose K.	05/31/2014	Board of Osteopathic Medicine	
Olivera, Armando J.	05/31/2015	Appointee: Jackson, Valerie A.	10/31/2013
Board of Trustees of Palm Beach State College		Board of Pilot Commissioners	
Appointees: Berger, William	05/31/2015	Appointee: Trueba, Carlos M.	10/31/2016
Dowd, John W. III	05/31/2014	Jacksonville Transportation Authority	
Link, Wendy S.	05/31/2015	Appointees: Burr, Edward E.	05/31/2015
Board of Trustees of Pasco-Hernando Community College		Harper, Donna L.	05/31/2014
Appointees: Johnson, Leonard H.	05/31/2015	McCaleb, Scott L.	05/31/2015
Porton, Morris R.	05/31/2013	Big Cypress Basin Board of the South Florida Water Management District	
Young, Victor	05/31/2014	Appointees: Carlson, Alice J.	03/01/2015
Board of Trustees of Pensacola State College		Farmer, David H.	03/01/2014
Appointees: Hunt, Luke	05/31/2015	Haskins, Ralph H.	03/01/2015
Moore, Harold Edward, Jr.	05/31/2015	The following executive appointments were referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:	
Board of Trustees of Polk State College		<i>For Term Ending</i>	
Appointees: Dorrell, Daniel F.	05/31/2014	<i>Office and Appointment</i>	
Littleton, Gregory A.	05/31/2015	Capital Collateral Regional Counsel - Middle Region	
Rada-Pilkington, Erlinda "Linda"	05/31/2015	Appointee: Jennings, John "Bill" W.	09/30/2015
Turner, Mark G.	05/31/2013	Capital Collateral Regional Counsel - Southern Region	
Board of Trustees of St. Johns River State College		Appointee: Dupree, Neal A.	09/30/2015
Appointees: Bramlitt, Denise M.	05/31/2014	As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:	
Coleman, Cranford R., Jr.	05/31/2014	(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;	
Duren, Joseph M.	05/31/2014	(2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and	
Board of Trustees of St. Petersburg College		(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.	
Appointees: Fine, Robert J., Jr.	05/31/2014	Respectfully submitted,	
Gibbons, Deveron M.	05/31/2014	<i>Jack Latvala, Chairman</i>	
Oliver, Jeffrey Dale	05/31/2015	On motion by Senator Latvala, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee:	
Board of Trustees of Santa Fe College		The vote was:	
Appointees: Hudson, Robert "R.C."	05/31/2015		
Lee, Caridad E.	05/31/2014		
Mallini, George "G.T." T.	05/31/2015		
Oody, Jeffrey L.	05/31/2014		
Prevatt, Lisa M.	05/31/2015		
Woody, Robert Lee	05/31/2014		
Board of Trustees of Seminole State College			
Appointees: Bauer, Jeffrey M.	05/31/2014		
Brandon, Wendy H.	05/31/2014		
Howat, Scott D.	05/31/2015		
Setzer, J. Alex	05/31/2015		
Board of Trustees of South Florida State College			
Appointees: Bryan, Derron J.	05/31/2015		
Cullens, Tamela "Tami" C.	05/31/2014		
Lambert, Kenneth A.	05/31/2014		
Puckorius, Lana C.	05/31/2015		
Rider, Kris Y.	05/31/2014		
Wright, Patrick Joseph "Joe"	05/31/2015		
Board of Trustees of Tallahassee Community College			
Appointees: Callaway, Donna G.	05/31/2015		
Lamb, Eugene, Jr.	05/31/2014		
Messersmith, Frank S.	05/31/2014		
Moore, Karen B.	05/31/2014		

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Sobel

By direction of the President, the rules were waived and the Senate proceeded to—

BILLS ON THIRD READING

CS for SB 186—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; providing that a person submits to the jurisdiction of the courts of this state by entering into a contract that specifies that the law of this state governs the contract and that the person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term “foreign judgment” for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0002, F.S.; clarifying the circumstances under which an arbitration is international; amending s. 684.0003, F.S.; correcting a cross-reference; amending s. 684.0019, F.S.; limiting the application of certain provisions to instances in which an arbitral tribunal orders a party to preserve evidence that may be relevant and material to the resolution of a dispute; amending s. 684.0026, F.S.; correcting a cross-reference in the Florida International Commercial Arbitration Act; creating s. 684.0049, F.S.; providing that the initiation of arbitration in this state, or the making of a written agreement to arbitrate which provides for arbitration in this state, constitutes a consent to exercise in personam jurisdiction by the courts of this state; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 186** was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 464—A bill to be entitled An act relating to disposition of unclaimed property; amending s. 717.124, F.S.; authorizing the Department of Financial Services to adopt rules that allow an apparent owner of unclaimed property to submit a claim to the department electronically; providing for applicability with respect to specified property reported and remitted to the Chief Financial Officer; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for SB 464** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Dave Aronberg, Palm Beach County State Attorney, who was present in the chamber.

CS for SB 454—A bill to be entitled An act relating to Florida College System institution police officers; amending s. 23.1225, F.S.; providing for mutual aid agreements involving Florida College System institution police officers; amending s. 316.640, F.S.; providing for enforcement of traffic laws in certain areas by Florida College System institution police officers; amending s. 1012.88, F.S.; revising provisions relating to the jurisdictional authority of Florida College System institution police officers; providing an effective date.

—was read the third time by title.

On motion by Senator Benacquisto, **CS for SB 454** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Detert

Consideration of **SB 356** was deferred.

CS for SB 248—A bill to be entitled An act relating to treatment programs for impaired licensees and applicants; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensure requirements; authorizing impaired practitioner consultants to contract with schools or programs to provide services to impaired students who are enrolled for the purpose of preparing for licensure as a specified health care practitioner or as a veterinarian; limiting the liability of those schools or programs when they refer a student to an impaired practitioner consultant; authorizing each board and profession within the division to delegate to its chair or other designee the authority to determine that an applicant for licensure under its jurisdiction may be impaired before certifying or declining to certify an application for licensure; authorizing the chair or other designee to refer the applicant to the consultant for an evaluation before the board certifies or declines to certify the applicant's application to the department; tolling the department's deadline for approving or denying the application until the evaluation is completed and the result of the evaluation and recommendation by the consultant is communicated to the board by the consultant if the applicant agrees to be evaluated by the consultant; requiring the board to certify or decline to certify the applicant's application to the department notwithstanding the lack of an evaluation and recommendation by the consultant if the applicant declines to be evaluated by the consultant; providing that the impaired practitioner consultant is the official custodian of records relating to the referral of the licensee or applicant to the consultant and any other interaction between them; clarifying the circumstances under which an impaired practitioner consultant may disclose certain information concerning an impaired licensee or applicant; authorizing the Department of Health and others that contract with an impaired practitioner consultant to have administrative control over the consultant to the extent necessary to receive disclosures allowed under federal law; authorizing an impaired licensee to obtain confidential information from the department regarding a pending disciplinary proceeding; amending ss. 458.331 and 459.015, F.S.; conforming cross-references; creating s. 468.315, F.S.; providing that radiological personnel are subject to a treatment program for impaired licensees; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **CS for SB 248** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Simpson

CS for CS for SB 458—A bill to be entitled An act relating to firefighter and police officer pension plans; amending s. 175.021, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 175, F.S., in order to receive insurance premium tax revenues; amending s. 175.032, F.S.; revising definitions to conform to changes made by the act and adding new definitions; amending s. 175.071, F.S.; conforming a cross-reference; amending s. 175.091, F.S.; revising existing payment provisions and providing for an additional

mandatory payment by the municipality or special fire control district to the firefighters' pension trust fund; amending s. 175.162, F.S.; deleting a limitation on state contributions funding additional benefits; amending s. 175.351, F.S., relating to municipalities and special fire control districts that have their own pension plans and want to participate in the distribution of a tax fund; revising criteria governing the use of income from the premium tax; requiring plan sponsors to have a defined contribution plan in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to ch. 175, F.S., under certain time-limited circumstances; amending s. 185.01, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 185, F.S., in order to receive insurance premium tax revenues; amending s. 185.02, F.S.; revising definitions to conform to changes made by the act and adding new definitions; deleting a provision allowing a local law plan to limit the amount of overtime payments which can be used for retirement benefit calculations; amending s. 185.06, F.S.; conforming a cross-reference; amending s. 185.07, F.S.; revising existing payment provisions and providing for an additional mandatory payment by the municipality to the police officers' retirement trust fund; amending s. 185.16, F.S.; deleting a limitation on state contributions funding additional benefits; amending s. 185.35, F.S., relating to municipalities that have their own pension plans for police officers and want to participate in the distribution of a tax fund; revising criteria governing the use of income from the premium tax; requiring plan sponsors to have a defined contribution plan in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to ch. 185, F.S., under certain time-limited circumstances; providing a declaration of important state interest; providing an effective date.

—as amended April 10 was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senators Ring and Bradley offered the following amendments which were moved by Senator Ring and adopted by two-thirds vote:

Amendment 1 (408348)—Delete lines 450-453 and insert: *benefits, such excess revenues must be used as directed in paragraph (b).*

Amendment 2 (570676)—Delete lines 477-496 and insert:

b. Twenty-five percent of the additional premium tax revenues subject to this paragraph must be used to fund required benefits; and

c. The remainder must be placed in a defined contribution plan to fund special benefits.

3. If subparagraph 1. is not applicable and the plan has a long-term funded ratio of 80 percent or greater:

a. Fifty percent of the additional premium tax revenues subject to this paragraph must be used to fund required benefits; and

b. The remainder must be placed in a defined contribution plan to fund special benefits.

Any additional premium tax revenues used to fund the plan's actuarial deficiency pursuant to this paragraph may not be considered in determining the mandatory payment described in s. 175.091(1)(d).

(c) Additional premium tax revenues not described in paragraph (b) must be used to fund benefits that were not included in the required benefits to pay extra benefits to the

Amendment 3 (526984)—Delete lines 970-973 and insert: *benefits, such excess revenues must be used as directed in paragraph (b).*

Amendment 4 (949930)—Delete lines 1036-1037 and insert: *of any mandatory contribution paid by the municipality which was previously used to fund*

Amendment 5 (574664)—Delete lines 997-1016 and insert:

b. Twenty-five percent of the additional premium tax revenues subject to this paragraph must be used to fund required benefits; and

c. The remainder must be placed in a defined contribution plan to fund special benefits.

3. If subparagraph 1. is not applicable and the plan has a long-term funded ratio of 80 percent or greater:

a. Fifty percent of the additional premium tax revenues subject to this paragraph must be used to fund required benefits; and

b. The remainder must be placed in a defined contribution plan to fund special benefits.

Any additional premium tax revenues used to fund the plan's actuarial deficiency pursuant to this paragraph may not be considered in determining the mandatory payment described in s. 185.07(1)(d).

(c) Additional premium tax revenues not described in paragraph (b) must be used to fund benefits that were not included in the required benefits pay extra benefits to the police

On motion by Senator Ring, **CS for CS for SB 458** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—5

Abruzzo	Sachs	Thompson
Bullard	Soto	

Vote after roll call:

Yea—Garcia

Vote Preference:

April 15, 2013: Nay to Yea—Abruzzo

April 16, 2013: Nay to Yea—Sachs

CS for CS for SB 810—A bill to be entitled An act relating to wrap-up insurance policies; creating s. 627.4138, F.S.; providing definitions; providing that wrap-up insurance policies may include workers' compensation claim deductibles equal to or greater than a specified amount if specified standards are met; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for CS for SB 810** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Garcia
Abruzzo	Clemens	Gardiner
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Joyner
Braynon	Galvano	Latvala

Lee	Ring	Soto
Legg	Sachs	Stargel
Margolis	Simmons	Thompson
Montford	Simpson	Thrasher
Negron	Smith	
Richter	Sobel	

Nays—None

SB 1700—A bill to be entitled An act relating to agricultural lands; repealing s. 604.006, F.S., relating to the mapping and monitoring of agricultural lands by the Department of Economic Opportunity; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **SB 1700** was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 674—A bill to be entitled An act relating to animal shelters and animal control agencies; amending s. 823.15, F.S.; declaring legislative priorities relating to the importation and uncontrolled breeding of dogs and cats; requiring that each public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision prepare and maintain specified records; specifying the information that must be included in the records; providing a maximum fee for copies of such records; amending s. 828.27, F.S.; providing that proceeds, carryover, and fund balances may be used to fund animal shelter operating expenses; providing an effective date.

—as amended April 10 was read the third time by title.

Senator Braynon moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (543150) (with title amendment)—Delete lines 99-132.

And the title is amended as follows:

Delete lines 12-15 and insert: maximum fee for copies of such records; providing an effective date.

On motion by Senator Montford, **CS for CS for SB 674** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores

Galvano	Lee	Simpson
Garcia	Legg	Smith
Gardiner	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	Thompson
Hukill	Ring	Thrasher
Joyner	Sachs	
Latvala	Simmons	

Nays—None

CS for SB 444—A bill to be entitled An act relating to domestic wastewater discharged through ocean outfalls; amending s. 403.086, F.S.; revising the measurement standard for the wastewater flow; revising the requirements for installation of a functioning reuse system by a utility that had a permit for a domestic wastewater facility on a specified date to discharge through ocean outfall; revising the definition of the term “functioning reuse system”; changing the term “facility’s actual flow on an annual basis” to “baseline flow”; revising plan requirements for the elimination of ocean outfalls; providing that certain utilities that shared a common ocean outfall on a specified date are individually responsible for meeting the reuse requirement; requiring that the Department of Environmental Protection approve certain apportionment of reuse if a facility contracts with another facility to install a functioning reuse system; requiring a facility that contracts with another facility to provide a copy of the contract to the department; revising provisions authorizing the backup discharge of domestic wastewater through ocean outfalls; requiring a holder of a department permit authorizing the discharge of domestic wastewater through an ocean outfall to submit certain information; deleting an obsolete provision; requiring the Department of Environmental Protection, the South Florida Water Management District, and affected utilities to consider certain information for the purpose of adjusting reuse requirements; requiring the department to submit a report to the Legislature; providing an effective date.

—was read the third time by title.

On motions by Senator Diaz de la Portilla, **CS for SB 444** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for SB 444** was ordered immediately certified to the House.

SPECIAL ORDER CALENDAR

On motion by Senator Simmons—

CS for SB 1770—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of

Administration Finance Corporation; creating s. 215.5551, F.S.; creating the Florida Catastrophe Risk Capital Access Facility to increase the access of small domestic insurers to risk-capital markets; providing intent; establishing the facility in the State Board of Administration; providing the purposes of the facility; requiring the facility to be funded entirely by participating insurers after initial apportionment; providing limitations; providing for a board of directors; providing immunity from liability; providing for an annual report; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation or certain private entities under certain circumstances; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer’s purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; requiring the Florida Commission on Hurricane Loss Projection Methodology to consider methods for improving the accuracy of wind mitigation discounts; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; revising the criteria for when the office may hold a public hearing regarding a rate filing; amending s. 627.171, F.S.; allowing a consent to an excess rate to apply to subsequent policy renewals; limiting the allowable amount of excess rates to counties where there is no competition; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation’s eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation’s board of governors to concur with certain decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; deleting provisions allowing a policyholder removed from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring disclosure of potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General’s review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; requiring the corporation to have an inspector general; providing for appointment; providing duties; requiring an annual report to the Legislature; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation’s rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk load factor; providing exceptions; limiting rate increases for specified personal and commercial lines residential policies and allowing an additional rate increase; requiring the corporation to annually certify its rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; providing for an alternative to submitting risks to the corporation; establishing a temporary keepout program that allows authorized insurers to provide coverage to applicants for coverage through the corporation through the market assistance program until the clearinghouse is operational; providing program components; providing for expiration; amending s. 627.405, F.S.; authorizing policyholders to assign benefits subject to conditions in the policy; amending s. 627.410, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (583958) (with title amendment)—Delete lines 223-296.

And the title is amended as follows:

Delete lines 6-15.

Senator Simmons moved the following amendment which failed:

Amendment 2 (835376) (with title amendment)—Delete lines 297-333.

And the title is amended as follows:

Delete lines 16-19 and insert: amending s. 626.752, F.S.,

The vote was:

Yeas—16

Altman	Garcia	Richter
Bean	Gardiner	Simmons
Benacquisto	Grimsley	Stargel
Bradley	Hays	Thrasher
Brandes	Lee	
Dean	Legg	

Nays—23

Abruzzo	Galvano	Ring
Braynon	Gibson	Sachs
Bullard	Hukill	Simpson
Clemens	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Margolis	Soto
Evers	Montford	Thompson
Flores	Negron	

Senator Simmons moved the following amendment which was adopted:

Amendment 3 (721264)—Delete lines 337-342 and insert:

(4) The foregoing limitations and restrictions ~~do shall not be construed and shall not~~ apply to the placing of surplus lines business under the provisions of part VIII, *or to the activities of Citizens Property Insurance Corporation when placing new and renewal business with authorized insurers in accordance with s. 627.3518.*

Senator Simmons moved the following amendment:

Amendment 4 (764128) (with title amendment)—Delete lines 680-701 and insert:

Section 6. Paragraph (b) of subsection (2) of section 627.0628, Florida Statutes, is amended to read:

627.0628 Florida Commission on Hurricane Loss Projection Methodology; public records exemption; public meetings exemption.—

(2) COMMISSION CREATED.—

(b) The commission shall consist of the following ~~12~~ **11** members:

1. The insurance consumer advocate.
2. The senior employee of the State Board of Administration responsible for operations of the Florida Hurricane Catastrophe Fund.
3. The Executive Director of the Citizens Property Insurance Corporation.
4. The Director of the Division of Emergency Management.

5. The actuary member of the Florida Hurricane Catastrophe Fund Advisory Council.

6. An employee of the office who is an actuary responsible for property insurance rate filings and who is appointed by the director of the office.

7. Five members appointed by the Chief Financial Officer, as follows:

a. An actuary who is employed full time by a property and casualty insurer that was responsible for at least 1 percent of the aggregate statewide direct written premium for homeowner's insurance in the calendar year preceding the member's appointment to the commission.

b. An expert in insurance finance who is a full-time member of the faculty of the State University System and who has a background in actuarial science.

c. An expert in statistics who is a full-time member of the faculty of the State University System and who has a background in insurance.

d. An expert in computer system design who is a full-time member of the faculty of the State University System.

e. An expert in meteorology who is a full-time member of the faculty of the State University System and who specializes in hurricanes.

8. *A licensed professional structural engineer who has expertise in wind mitigation techniques and who is appointed by the Governor.*

And the title is amended as follows:

Delete lines 32-34 and insert: adding a member to the Florida Commission on Hurricane Loss Projection Methodology;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment to **Amendment 4** which was adopted:

Amendment 4A (226240)—Delete lines 43-45 and insert: *8. A licensed professional structural engineer who is a full-time faculty member in the State University System and who has expertise in wind mitigation techniques. This appointment shall be made by the Governor.*

Amendment 4 as amended was adopted.

Senator Simmons moved the following amendment which was adopted:

Amendment 5 (111266) (with directory and title amendments)—Delete lines 729-733.

And the directory clause is amended as follows:

Delete lines 702-703 and insert:

Section 7. Subsection (1) of section 627.0629, Florida Statutes, is amended to read:

And the title is amended as follows:

Delete lines 37-39 and insert: residential property insurance rate filing; amending s. 627.171,

Senator Simmons moved the following amendment:

Amendment 6 (489386)—Delete line 928 and insert: *been issued on or after July 1, 2014, pursuant to s. 713.135,*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following substitute amendment which was adopted:

Amendment 7 (831848)—Delete lines 927-938 and insert: *5. A new structure for which a notice of commencement has been issued on or after July 1, 2014, pursuant to s. 713.135, which is located seaward of the*

coastal construction control line created pursuant to s. 161.053, is ineligible for coverage through the corporation unless the structure meets the coastal code-plus building code criteria developed and recommended by the Florida Building Commission. Filing a notice of commencement for an addition to an existing structure that was built before July 1, 2014, requires that the addition be built according to the code-plus building criteria but does not require that the existing structure meet the code-plus criteria in order to be eligible for coverage through the corporation. ~~Effective January~~

Senator Simmons moved the following amendments which were adopted:

Amendment 8 (460856)—Delete lines 1499-1502 and insert: 4. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of ~~nine~~ ~~eight~~ individuals who are residents of this state and who are, from different geographical areas of the ~~this~~ state, one of whom is appointed by the Chief Financial Officer and serves solely to advocate on behalf of the consumer. The appointment of a consumer representative by the Chief Financial Officer is in addition to the appointments authorized under sub-subparagraph a.

Amendment 9 (467934) (with title amendment)—Delete line 1582 and insert: the premium for comparable coverage from the corporation. For renewal policies, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from an authorized insurer is more than 5 percent higher than the premium for comparable coverage from the corporation. If the

And the title is amended as follows:

Delete line 56 and insert: executive director; providing that renewal policies are not eligible for continued coverage by the corporation unless the premium for comparable coverage from an authorized insurer exceeds a certain percentage; deleting provisions allowing a

Amendment 10 (354380) (with title amendment)—Delete lines 1825-1827 and insert: 16. Must make available a policy for mobile homes or manufactured homes with a minimum insured value of at least \$3,000. ~~Must limit~~ Coverage on mobile homes or manufactured homes built before 1994 is limited to actual cash value of the dwelling rather than replacement costs of the dwelling. Such coverage must also include the following attached structures:

- a. Screened enclosures that are aluminum framed or that are not covered by the same or substantially the same materials as those of the primary dwelling;
- b. Carports that are aluminum or that are not covered by the same or substantially the same materials as those of the primary dwelling; and
- c. Patios that have a roof covering constructed of materials that are not the same or substantially the same materials as those of the primary dwelling.

And the title is amended as follows:

Delete line 60 and insert: corporation criteria for appointing agents; requiring the corporation to provide coverage for mobile homes or manufactured homes and related structures; requiring

Amendment 11 (265722)—Delete lines 1920-1925 and insert:

- e. Cooperate and coordinate activities with the corporation's inspector general.
- ~~e. Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the internal auditor has reasonable grounds to believe there has been a violation of criminal law.~~

Amendment 12 (205222)—Delete lines 2262-2266 and insert: k. Reporting expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.

l. Providing the executive director and board chairman with independent and objective assessments of programs and activities.

m. Complying with the General Principles and Standards for Offices of Inspector General as published and revised by the Association of Inspectors General.

Senator Simmons moved the following amendment:

Amendment 13 (408884)—Between lines 2422 and 2423 insert: f. The Legislature finds that there is not a reasonable level of competition in Monroe County. As a result, the current rate and the provisions of subparagraph 3. apply to all new business in Monroe County until the office makes a finding that a reasonable level of competition for residential property insurance exists in the county.

THE PRESIDENT PRESIDING

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following substitute amendment which was adopted:

Amendment 14 (295112)—Delete line 2422 and insert: with sub-subparagraph a. However, in territories located in a county where the corporation provides more than 75 percent of personal lines residential policies providing wind coverage, subparagraph 3. applies to all new personal lines residential policies written by the corporation in such territories.

The vote was:

Yeas—28

Mr. President	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Bullard	Hays	Stargel
Dean	Hukill	Thrasher
Detert	Lee	
Evers	Legg	

Nays—10

Abruzzo	Ring	Soto
Braynon	Sachs	Thompson
Clemens	Smith	
Joyner	Sobel	

Vote after roll call:

Nay to Yea—Braynon, Smith

Senator Simmons moved the following amendments which were adopted:

Amendment 15 (415424) (with title amendment)—Delete lines 2450-2485 and insert: 3.6. For policies initially insured by the corporation before January 1, 2014, and which have continuously been insured by the corporation since that date, ~~Beginning on or after January 1, 2010, and notwithstanding the board's recommended rates and the office's final order regarding the corporation's filed rates under subparagraph 1.,~~ the corporation shall annually implement a rate increase that which, except for sinkhole coverage, does not exceed 10 percent for any single policy issued by the corporation, excluding coverage changes and surcharges.

4.7. The corporation may also implement an increase to reflect the effect on the corporation of the cash buildup factor pursuant to s. 215.555(5)(b).

And the title is amended as follows:

Delete lines 82-85 and insert: catastrophe risk factor; requiring the corporation to

Amendment 16 (651304) (with title amendment)—Delete lines 2514-2744 and insert: 627.3518 *Citizens Property Insurance Corporation clearinghouse.*—*The Legislature recognizes that Citizens Property Insurance Corporation has authority to establish a clearinghouse as a separate organizational unit within the corporation for the purpose of determining the eligibility of new and renewal risks, excluding commercial residential, seeking coverage through the corporation and facilitating the identification and diversion of ineligible applicants and current policyholders from the corporation into the voluntary insurance market. The purpose of this section is to augment that authority by providing a framework for the corporation to implement such program by January 1, 2014.*

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

(a) *“Clearinghouse” means the clearinghouse diversion program created under this section.*

(b) *“Corporation” means Citizens Property Insurance Corporation.*

(c) *“Exclusive agent” means a licensed insurance agent who has agreed, by contract, to act exclusively for one company or group of affiliated insurance companies and is disallowed by the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.*

(d) *“Independent agent” means a licensed insurance agent not described in paragraph (c).*

(2) *In order to confirm eligibility with the corporation and to enhance the access of new applicants for coverage and existing policyholders of the corporation to offers of coverage from authorized and eligible insurers, the corporation shall establish a clearinghouse for personal residential risks in order to facilitate the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market. The corporation shall also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market, and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by July 1, 2015.*

(3) *The clearinghouse has the same rights and responsibilities in carrying out its duties as a licensed general lines agent, but is not required to employ or engage a licensed general lines agent or to maintain an insurance agency license in order to solicit and place insurance coverage. In establishing the clearinghouse, the corporation may:*

(a) *Require all new applications and all policies due for renewal to be submitted to the clearinghouse in order to facilitate obtaining an offer of coverage from an authorized insurer before binding or renewing coverage by the corporation.*

(b) *Employ or otherwise contract with individuals or other entities to provide administrative or professional services in order to carry out the plan within the corporation in accordance with the applicable purchasing requirements under s. 627.351.*

(c) *Enter into a contract with an authorized or eligible insurer participating in the clearinghouse and accept an appointment by such insurer.*

(d) *Provide funds to operate the clearinghouse. Insurers and agents participating in the clearinghouse are not required to pay a fee to offset or partially offset the cost of the clearinghouse, or use the clearinghouse for the renewal of policies initially written through the clearinghouse.*

(e) *Develop an enhanced application for obtaining information that will assist private insurers in determining whether to make an offer of coverage through the clearinghouse.*

(f) *Before approving new applications for coverage by the corporation, require that every application be subject to a period of 2 business days during which an insurer participating in the program may select the application for coverage. The insurer may issue a binder on any policy selected for coverage for at least 30 days but not more than 60 days.*

(4) *An authorized or eligible insurer may participate in the clearinghouse; however, participation is not mandatory. An insurer that makes an*

offer of coverage to a new applicant or renews a policy for a policyholder through the clearinghouse:

(a) *Is not required to individually appoint an agent whose customer is underwritten and bound through the clearinghouse. Notwithstanding s. 626.112, an insurer is not required to appoint an agent on a policy underwritten through the clearinghouse if that policy remains with the insurer. An insurer may appoint an agent whose customer is initially underwritten and bound through the clearinghouse. If an insurer accepts a policy from an agent who is not appointed pursuant to this paragraph and thereafter accepts a policy from such agent, the provisions of s. 626.112 requiring appointment apply to the agent.*

(b) *Must enter into a limited agency agreement with each agent who is not appointed in accordance with paragraph (a) and whose customer is underwritten and bound through the clearinghouse.*

(c) *Must enter into its standard agency agreement with each agent whose customer is underwritten and bound through the clearinghouse if that agent has been appointed by the insurer pursuant to s. 626.112.*

(d) *Must comply with s. 627.4133(2).*

(e) *Must allow authorized or eligible insurers participating in the clearinghouse to participate through their single, designated managing general agent or broker; however, the provisions of paragraph (6)(a) regarding ownership, control, and use of the expirations apply.*

(f) *Must pay the producing agent a commission equal to that paid by the corporation or the usual and customary commission paid by the insurer for that line of business, whichever is greater.*

(5)(a) *Notwithstanding s. 627.3517, an applicant for new coverage is not eligible for coverage from the corporation if the applicant is offered coverage from an authorized insurer through the clearinghouse at a premium that is at or below the eligibility threshold established under s. 627.351(6)(c)5.a.*

(b) *Notwithstanding any other provisions of law, if a renewing policyholder of the corporation is offered coverage from an authorized insurer for a personal lines or commercial lines risk at a premium that is no more than 15 percent above the corporation’s renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation.*

(c) *Notwithstanding s. 626.916(1), if an applicant for new or renewal coverage from the corporation does not receive an offer of coverage from an authorized insurer, the applicant may choose to accept an offer of coverage from an eligible insurer or its broker under ss. 626.913-626.937. Such offer of coverage from an eligible insurer does not make the risk ineligible for coverage with the corporation.*

(d) *An applicant for new or renewal coverage from the corporation may choose to accept any offer of coverage received through the clearinghouse from an authorized insurer which is greater than 15 percent of the corporation’s renewal premium.*

(e) *Section 627.351(6)(c)5.a.(I) and b.(I) does not apply to an offer of coverage from an authorized insurer obtained through the clearinghouse.*

(6) *An independent agent who submits a new application for coverage or who is the agent of record on a renewal policy submitted to the clearinghouse:*

(a) *Is granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such application or renewal written through the corporation or through an insurer participating in the clearinghouse, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent. A contract with the corporation or required by the corporation may not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application or issue a policy or for any other purpose necessary for placing business through the clearinghouse.*

(b) *Is not required to be appointed by an insurer participating in the clearinghouse for policies written solely through the clearinghouse, notwithstanding s. 626.112.*

(c) May accept an appointment from an insurer participating in the clearinghouse.

(d) May enter into a standard or limited agency agreement with the insurer, at the insurer's option.

An applicant ineligible for coverage under subsection (5) remains ineligible if the applicant's independent agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer participating in the clearinghouse.

(7) An exclusive agent who submits a new application for coverage or who is the agent of record on a renewal policy submitted to the clearinghouse:

(a) Must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such application or renewal written through the corporation or through an insurer participating in the clearinghouse, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). A contract with the corporation or required by the corporation may not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application or issue a policy or for any other purpose necessary for placing business through the clearinghouse.

(b) Is not required to be appointed by an insurer participating in the clearinghouse for policies written solely through the clearinghouse, notwithstanding s. 626.112.

(c) Must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

(d) May enter into a limited servicing agreement with the insurer making an offer of coverage, and may do so only after the exclusive agent's insurer has approved the terms of the agreement. The exclusive agent's insurer must approve a limited service agreement for the clearinghouse if the insurer has approved a service agreement with the agent for other purposes.

An applicant is ineligible for coverage under subsection (5) if the applicant's exclusive agent is unwilling or unable to enter into a standard or limited agency agreement with a participating insurer making an offer of coverage to that applicant.

(8) Submission of an application to the clearinghouse for coverage by the corporation does not constitute the binding of coverage, and the failure of the clearinghouse to obtain an offer of coverage by an insurer is not considered acceptance of coverage of the risk by the corporation.

(9) The clearinghouse may not include commercial nonresidential policies.

Section 14. *Temporary keepout program.*—Citizens Property Insurance Corporation shall implement a temporary keepout program beginning July 1, 2013, and ending on the date the clearinghouse program established under s. 627.3518, Florida Statutes, is operational.

(1) Subject to procedures adopted by the corporation, the program shall provide an opportunity for new applicants for personal residential multiperil coverage with the corporation to be offered coverage with authorized insurers through the market assistance plan established under s. 627.3515, Florida Statutes.

(2) The program is subject to all of the following:

(a) The corporation may not accept a new personal residential multiperil application for coverage within 72 hours after submission of the risk to the market assistance plan under subsection (1).

(b) Section 627.3517, Florida Statutes, relating to consumer choice of agent does not apply to applications for coverage accepted by authorized insurers under the program.

(c) Insurers issuing policies under this section are subject to s. 627.3518(3), Florida Statutes, relating to agent appointment.

(d) Notwithstanding s. 626.916(1), Florida Statutes, if an applicant for new or renewal coverage from the corporation does not receive an offer of coverage from an eligible insurer, the applicant may accept an offer from a designated broker of an insurer eligible under ss. 626.913-626.937, Florida Statutes.

(e) An exclusive agent must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

An applicant is ineligible for coverage if the applicant's agent is unwilling or unable to enter into a standard or limited agency agreement with a participating insurer making an offer of coverage to that applicant.

(3) This section expires on January 1, 2014, or when the clearinghouse program established under s. 627.3518, Florida Statutes, becomes operational, whichever occurs first.

And the title is amended as follows:

Delete lines 95-96 and insert: establishing a temporary keepout

Senator Simmons moved the following amendment:

Amendment 17 (837382) (with title amendment)—Between lines 2744 and 2745 insert:

Section 15. Section 627.352, Florida Statutes, is created to read:

627.352 *Catastrophe Risk Capital Access Facility.*—

(1) **LEGISLATIVE FINDINGS AND INTENT.**—The Legislature finds and declares that:

(a) A growing and competitive private sector market for residential property insurance is in the public interest.

(b) The global market for catastrophe risk has expanded dramatically, resulting in the availability of billions of dollars in additional risk capital for insurers and new and innovative alternative risk-transfer mechanisms.

(c) Having access to additional risk capital and risk-transfer mechanisms provides an opportunity for property insurers in this state to expand their capacity to write additional business and diversify their catastrophe risk, which will serve the public interest of fostering private sector market growth.

(d) Despite an expansion in the amount of available global risk capital, state property insurers in general, and smaller state property insurers in particular, face challenges accessing global markets if the relatively small amount of risk finance required by any one company is not economically viable in the larger global market.

(e) It is the intent of the Legislature to establish a self-regulating mechanism to facilitate the access of property insurers generally, and smaller property insurers in particular, to global risk capital markets and risk-transfer mechanisms for property risks in this state.

(2) **FACILITY CREATED.**—A nonprofit association, to be known as the Catastrophe Risk Capital Access Facility, is hereby created.

(a) The facility must operate pursuant to a plan of operation adopted by the governing board, except that the initial plan of operation shall be recommended by the initial governing board and adopted by the office after consultation with potential participating insurers and other interested parties.

(b) The facility is not intended to be, and may not function as, an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission.

(3) **MEMBERSHIP.**—An insurer holding a certificate of authority to transact property insurance in this state is eligible to become a member of the facility. To become a member, an insurer must file a declaration of intent with the office by September 30, 2013.

(4) **INITIAL GOVERNING BOARD.**—

(a) Each insurer that timely files a declaration under subsection (3) is a member of the initial governing board of the facility and has a vote proportional to its share of direct premium for property insurance written in this state as of December 31, 2012. At a minimum, three insurers must file a declaration of intent to constitute an initial governing board and activate the facility.

(b) The initial governing board must hold its first meeting at a time and place specified by the office. At the first meeting, the initial governing board must elect one of its members to serve as chair.

(c) The initial governing board must submit a recommended plan of operation to the office by December 1, 2013. The initial governing board may retain staff or professionals to assist in the preparation of the proposed plan of operation.

(d) The functions of the initial governing board terminate upon the election of a governing board as provided in the plan of operation.

(5) **GOVERNING BOARD.**—Beginning on the effective date of the plan of operation, the facility shall operate under a seven-member governing board composed of representatives of member insurers, appointed as specified in the plan of operation.

(6) **PLAN OF OPERATION.**—The plan of operation:

(a) Must specify the following functions of the facility:

1. Aggregating the demand of members for risk finance for state property risks from global capital markets.

2. Designing and executing risk-transfer tools such as insurance-linked securities and other appropriate instruments for state property risks for members; using special purpose vehicles or onshore or offshore protected cells, as appropriate, to increase members' access to risk capital for state property risks; and making use of any other financial instruments or reinsurance or pooling arrangements that may develop in the market.

3. Identifying and coordinating appropriate risk-transfer products and opportunities for state property risks, initially targeting layers of coverage below, alongside, and above the coverage provided by the Florida Hurricane Catastrophe Fund.

4. Establishing and maintaining regular and ongoing contact with global risk capital market participants, institutions, and investors in order to identify opportunities that satisfy and coordinate with insurer demand for additional risk capital for state property risks.

(b) Must provide that in conducting its affairs, the facility may not:

1. Take a position in, or provide financial support for, any risk-transfer transaction.

2. Be a guarantor of premium or make any other financial guarantees to a member.

3. Enter into any contract on the part of the state or create any state contractual obligations.

4. Impose or levy any taxes, assessments, or similar charges.

(c) Must provide for funding the expenses of the facility, including an initial charge that applies to all members and subsequent charges to members on a pro rata basis.

(d) Must provide additional annual enrollment periods for eligible insurers to become members of the facility.

(e) Must provide for the election and terms of the governing board.

(f) May provide for the appointment or retention of staff and professionals as the governing board deems appropriate.

(g) Must require the facility to submit a biennial report and annual independent audits to the members of the Financial Services Commission and the presiding officers of the Legislature by December 31 of each even-numbered year beginning in 2014.

(7) **IMMUNITY FROM LIABILITY.**—No liability on the part of, and no cause of action of any nature, may arise against the facility or its agents or employees, the governing board, or the department or office or their representatives for any action taken by them in the performance of their powers and duties under this section.

And the title is amended as follows:

Delete line 101 and insert: program components; providing for expiration; creating s. 627.352, F.S.; creating the Catastrophe Risk Capital Access Facility to facilitate insurer access to global risk capital markets and risk-transfer mechanisms; providing legislative findings and intent; providing that the facility may not operate as an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission; providing for membership; providing for an initial governing board which must submit a proposed plan of operation to the Office of Insurance Regulation by a certain date; providing for termination of the initial board; providing for a permanent board; specifying provisions that must be addressed by the plan of operation; providing immunity from liability for the board; amending

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment to **Amendment 17** which was adopted:

Amendment 17A (199460) (with title amendment)—Delete line 66 and insert:

(d) The initial governing board must provide the presiding officers and minority party leaders of the Legislature with recommendations and draft legislation addressing the facility's need, if any, for exemptions from public records and open meetings laws by December 31, 2013.

(e) The functions of the initial governing board terminate

And the title is amended as follows:

Delete line 139 and insert: to the Office of Insurance Regulation and recommendations relating to public records and open meetings to the Legislature by a certain

Amendment 17 as amended was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 18 (140302)—Delete lines 1578-1579 and insert: basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simpson moved the following amendment which failed:

Amendment 19 (639430) (with directory and title amendments)—Between lines 2189 and 2190 insert:

(ee)1. The corporation may not decline a request for coverage of residential sinkhole loss based upon: conditions existing at or on the property which do not constitute sinkhole-related activity; or the proximity of the property to the location of another property on which conditions exist which do not constitute sinkhole-related activity.

a. For the purposes of this subparagraph, the term "sinkhole-related activity" means settlement or systematic weakening of the earth if the settlement or systematic weakening results from contemporaneous movement or raveling of soils, sediments, or rock materials into subterranean voids created by the effect of water on a limestone or similar rock formation.

b. On or before December 31 of each calendar year, the corporation shall submit an annual report to the Office of Insurance Regulation and the Insurance Consumer Advocate disclosing:

(I) The total number of requests received for residential sinkhole loss coverage;

(II) The total number of policies issued for residential sinkhole loss coverage;

(III) The total number of requests declined for residential sinkhole loss coverage; and

(IV) The reasons for each decline of residential sinkhole loss coverage.

2. A policy for residential property insurance issued by the corporation must include a deductible applicable to sinkhole losses equal to 1 percent, 2 percent, 5 percent, or 10 percent of the policy dwelling limits, with an appropriate premium discount amount offered with each deductible amount.

3. The Legislature finds that it is in the public interest that indemnity funds paid pursuant to sinkhole loss claims are applied to repairing property damage in order to ensure that sinkhole indemnity funds paid for sinkhole damage are applied to above-ground and subsurface repairs. Therefore, a Citizens Sinkhole Repair Program shall be established by the corporation, subject to approval by the Office of Insurance Regulation and the Financial Services Commission. Any claim against a corporation policy that covers residential sinkhole loss for which it is determined that such loss has occurred must be included in the repair program.

a. The repair program may be managed by a third-party administrator and, at a minimum, must include the following components:

(I) The corporation may not require the policyholder to advance payment for repairs.

(II) All applicable provisions contained in the corporation's plan of operation apply, including, but not limited to, the consumer's right to courteous, prompt, and professional customer service and the right to fair, prompt and professional services.

(III) Repairs shall be conducted by repair contractors who are qualified based upon guidelines adopted by the Financial Services Commission by rule.

(A) The repair program shall select qualified repair contractors to perform repairs to damaged property pursuant to a fixed-price contract between the contractor and the policyholder. Pursuant to the terms of the contract, the selected repair contractor is solely responsible for the performance of all necessary repairs.

(B) Each qualified contractor shall post a performance bond, secured by a third-party surety, in favor of the corporation as obligee, in a principle amount equal to the total cost of all fixed-price contracts annually awarded to that repair contractor.

(C) Each repair contractor shall also provide a warranty to the policyholder which covers all repairs provided by the contractor for at least 5 years after completion of the repairs.

b. The corporation is not responsible for serving as a repair contractor. The corporation's obligations pursuant to the repair program are not an election to repair by the corporation and therefore do not imply a new contractual relationship.

c. The corporation's liability related to repair activity for damaged property included in the repair program is no greater than the limits of the policy covering that property.

d. For the purposes of the repair program, the presumed correctness specified in s. 627.7073(1)(c) of the findings, opinions, and recommendations by the professional engineer or geologist as to land and building stabilization and foundation repair are recognized by the Legislature as necessary to address the public policy interest in ensuring that sinkhole-damaged residential property is repaired. Therefore, the presumption is intended to operate as a burden-shifting presumption under ss. 90.302(2) and 90.304. ~~The office may establish a pilot program to offer optional sinkhole coverage in one or more counties or other territories of the corporation for the purpose of implementing s. 627.706, as amended by s. 30, chapter 2007-1, Laws of Florida. Under the pilot program, the corporation is not required to issue a notice of nonrenewal to exclude~~

~~sinkhole coverage upon the renewal of existing policies, but may exclude such coverage using a notice of coverage change.~~

And the directory clause is amended as follows:

Delete line 765 and insert:

(z), and (ee) of subsection (6) of section 627.351, Florida Statutes,

And the title is amended as follows:

Delete line 69 and insert: secured by a surplus note; prohibiting the corporation from denying sinkhole coverage for certain reasons; requiring the corporation to submit an annual report to the Office of Insurance Regulation and the Insurance Consumer Advocate on the number of residential sinkhole policies issued and declined; requiring the policy to include a deductible; establishing a Citizens Sinkhole Repair Program for sinkhole claims; providing program components; specifying the corporation's liability with respect to sinkhole claims; specifying the presumed correctness of professional engineer and geologist opinions; deleting obsolete provisions; requiring the corporation

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simpson moved the following amendment:

Amendment 20 (446672) (with title amendment)—Between lines 2780 and 2781 insert:

Section 17. Paragraph (b) of subsection (1) of section 627.706, Florida Statutes, is amended to read:

627.706 Sinkhole insurance; catastrophic ground cover collapse; definitions.—

(1)

(b) The insurer shall make available, for an appropriate additional premium, coverage for sinkhole losses on any structure, including the contents of personal property contained therein, *in an amount equal to the full amount of coverage on the structure. The insurer may also offer less coverage equal to 25 or 50 percent of the amount of coverage on the structure, with an appropriate reduction in the additional premium to the extent provided in the form to which the coverage attaches.* The insurer may require an inspection of the property before issuance of sinkhole loss coverage. A policy for residential property insurance may include a deductible amount applicable to sinkhole losses equal to 1 percent, 2 percent, 5 percent, or 10 percent of the policy dwelling limits, with appropriate premium discounts offered with each deductible amount.

And the title is amended as follows:

Delete line 105 and insert: made by the act; amending s. 627.706, F.S.; authorizing an insurer to offer a reduced amount of sinkhole coverage with an appropriate reduction in premium; providing effective dates.

POINT OF ORDER

Senator Richter raised a point of order that pursuant to Rule 7.1 **Amendment 20 (446672)** was not germane to the bill.

The President referred the point of order and the amendment to Senator Thrasher, Chair of the Committee on Rules.

RULING ON POINT OF ORDER

On recommendation of Senator Thrasher, Chair of the Committee on Rules, President Gaetz ruled the point not well taken. **Amendment 20 (446672)** was adopted.

Pursuant to Rule 4.19, **CS for SB 1770** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the Special Order Calendar Group was granted permission to meet 15 minutes after adjournment.

REPORTS OF COMMITTEES

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB 1252

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 242

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 144

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 1724

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 814; SB 1408

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 958

The bill with committee substitute attached was referred to the Committee on Communications, Energy, and Public Utilities under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1128

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1028; CS for SB 1594

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

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1410

The Committee on Health Policy recommends a committee substitute for the following: SB 1368

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

The Committee on Health Policy recommends a committee substitute for the following: SB 894

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 1276

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 860

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 984

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1696

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1098

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 580

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 824; SB 1014; CS for SB 1734; SB 1756

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB 490

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

The Committee on Health Policy recommends a committee substitute for the following: SB 1112

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

The Committee on Rules recommends a committee substitute for the following: CS for SB 904

The bill with committee substitute attached was placed on the Calendar.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 288; CS for SB 644; SB 742; CS for SB 890; CS for SB 1350

Appropriations Subcommittee on Finance and Tax recommends the following pass: CS for CS for SB 554; SB 856; SB 1190; CS for SB 1718

Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 732; SB 1036; SB 1162; CS for SB 1690

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for CS for SB 442; CS for SB 572

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SR 1862—Not referenced.

By the Committee on Environmental Preservation and Conservation—

SB 1864—A bill to be entitled An act relating to ratification of rules implementing total maximum daily loads for impaired water bodies; ratifying specified rules of the Department of Environmental Protection for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of the specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was referred to the Committee on Rules.

SR 1866—Not referenced.

By Senator Bean—

SB 1868—A bill to be entitled An act relating to public records; creating s. 560.312, F.S.; providing an exemption from public records requirements for payment instrument transaction information held by the Office of Financial Regulation; providing for specified access to such information; authorizing the office to enter into information-sharing agreements and provide access to information contained in the database to certain governmental agencies; requiring a department or agency that receives confidential information to maintain the confidentiality of the information, except as otherwise required by court order; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Banking and Insurance; and Senators Altman and Soto—

CS for SB 144—A bill to be entitled An act relating to payment for services provided by licensed psychologists; amending ss. 627.6131 and 641.3155, F.S.; adding licensed psychologists to the list of health care providers who are protected by a limitations period from claims for overpayment being sought by health insurers or health maintenance organizations; adding licensed psychologists to the list of health care providers who are subject to a limitations period for submitting claims to health insurers or health maintenance organizations for underpayment; amending s. 627.638, F.S.; adding licensed psychologists to the list of health care providers who are eligible for direct payment for medical services by a health insurer under certain circumstances; making technical and grammatical changes; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Banking and Insurance; and Senator Hukill—

CS for CS for SB 242—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing

for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; allowing the commissioner to designate a person to represent the state on the commission, as is necessary, to fulfill the duties of being a member of the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rulemaking functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation is subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for adoption of any new uniform standards or amendments to existing uniform standards of the commission; requiring the office to notify the Legislature of any new uniform standards or amendments to existing uniform standards of the commission; providing that any new uniform standards or amendments to existing uniform standards of the commission may only be adopted via legislation; authorizing the Financial Services Commission to adopt rules to implement this act and opt out of certain uniform standards; providing an effective date.

By the Committees on Regulated Industries; and Judiciary; and Senator Stargel—

CS for CS for SB 490—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period

to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a landlord must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; providing an effective date.

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

CS for CS for SB 580—A bill to be entitled An act relating to homeowners' associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association secretary to retain such certification for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association and providing for removal for knowingly taking such action; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.3075, F.S.; providing public policy regarding prohibited clauses in association documents; providing prohibited clauses in association documents; amending s. 720.3085, F.S.; defining the term "previous owner" to exclude certain associations from provisions relating to the liability of previous owners of parcels for unpaid assessments; limiting a present owner's liability for certain assessments; amending s. 720.315, F.S.; prohibiting increases in assessments levied pursuant to the annual budget under certain circumstances; providing an effective date.

By the Committee on Banking and Insurance; and Senator Brandes—

CS for SB 814—A bill to be entitled An act relating to branch offices conducting securities transactions; amending s. 517.12, F.S.; providing for a branch office notice filing with the Office of Financial Regulation in lieu of registration; creating s. 517.1202, F.S.; prohibiting a securities dealer or investment advisor from conducting business from a branch office unless a specified notice has been filed with the office; providing requirements and procedures with respect to notice filing for branch offices; authorizing the Financial Services Commission to adopt rules relating to such notice filings; providing a fee for a branch office notice filing; providing for expiration, renewal, suspension, revocation, and termination of branch office notice filings under specified circumstances; providing applicability and construction with respect to fees collected for branch office notice filings; amending ss. 517.1205, 517.121, 517.161, 517.1611, and 517.211, F.S.; conforming provisions to changes made by the act with respect to requiring branch office notice filings with the Office of Financial Regulation in lieu of registration; providing an effective date.

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

CS for SB 824—A bill to be entitled An act relating to public records; creating s. 916.1065, F.S.; creating an exemption from public records requirements for a forensic behavioral health evaluation filed with a court; providing a definition for the term "forensic behavioral health evaluation"; providing a statement of public necessity, applicability, and construction; providing an effective date.

By the Committee on Banking and Insurance; and Senator Galvano—

CS for SB 860—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.02, F.S.; revising a definition; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or overutilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s. 440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; conforming cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing an effective date.

By the Committee on Health Policy; and Senator Braynon—

CS for SB 894—A bill to be entitled An act relating to community health workers; providing definitions; specifying the duties and activities of community health workers; creating the Community Health Worker Task Force within a state college or university; requiring the Department of Health to provide administrative support and services; providing membership and duties of the task force; requiring the members of the task force to elect a chair and vice chair; providing that task force members serve without compensation and are not entitled to reimbursement for per diem or travel expenses; requiring that the task force meet at least quarterly and meet in person, by teleconference, or by other electronic means; specifying the number of members required for a

quorum; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing for future repeal of the task force; providing an effective date.

By the Committees on Rules; and Education; and Senator Brandes—

CS for CS for SB 904—A bill to be entitled An act relating to education; amending s. 1002.45, F.S.; allowing individuals or organizations that provide individual online courses, including massive open online courses, which are measured by statewide assessments to apply for approval as state-level providers; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to recommend a funding model and financial accountability mechanism for providers of online courses; requiring the Office of Program Policy Analysis and Government Accountability to review and provide recommendations to allow student access to massive open online courses for funding purposes; providing review requirements; requiring the office to provide findings and recommendations to the Governor and the Legislature by a specified date; requiring the Department of Education to develop a methodology and plan for calculating the Florida Education Finance Program which limits the sum of each student's full-time equivalent student membership value from all virtual programs or courses; providing requirements for the plan; requiring the department to conduct a student-based simulation of the revised methodology; requiring the department to submit a report to the Governor and the Legislature by a specified date; creating s. 1007.012, F.S.; creating the Florida Accredited Courses and Tests Initiative (FACTs); providing the purpose of the initiative; providing legislative intent; providing that implementing the initiative allows students to satisfy certain requirements; defining the term "Florida-accredited course" as it relates to the initiative; providing for application of certain courses and assessments toward promotion, graduation, and degree attainment; requiring that Florida-accredited courses and their assessments be annually identified, approved, published, and shared for consideration by certain students and entities; requiring the Commissioner of Education and the Chancellor of the State University System to approve each Florida-accredited course and its assessments; requiring the Articulation Coordinating Committee to annually publish and share a list of approved Florida-accredited courses, their assessments, and other courses; amending s. 1007.24, F.S.; including providers of online courses in the statewide course numbering system; amending s. 1008.24, F.S.; authorizing a school district, a Florida College System institution, and a state university to contract with qualified contractors to administer and proctor statewide standardized assessments or assessments associated with Florida-accredited courses; authorizing the Department of Education to contract for these services on behalf of the state or a school district, Florida College System institution, or state university; providing that assessments may be administered or proctored by qualified contractors at sites that meet certain criteria; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for SB 958—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; making grammatical changes; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; limiting the right of a county or municipality to regulate

natural gas storage facilities; prohibiting a permit for certain natural gas storage facilities; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that a natural gas storage facility operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through a requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and for certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; requiring the Department of Environmental Protection to adopt rules; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for SB 984—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for certain information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

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

CS for SB 1014—A bill to be entitled An act relating to public records; amending s. 397.334, F.S.; exempting from public records requirements information from the initial screenings for participation in a treatment-based drug court program, substance abuse screenings, behavioral health evaluations, and subsequent treatment status reports regarding a participant or a person considered for participation in a treatment-based drug court program; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Clemens—

CS for SB 1028—A bill to be entitled An act relating to the Fracturing Chemical Usage Disclosure Act; creating such act and providing a short title; creating s. 377.45, F.S.; directing the Department of Environmental Protection to establish an online hydraulic fracturing chemical registry; requiring owners and operators of wells on which a hydraulic fracturing treatment is performed to disclose certain information; requiring certain service providers and vendors to disclose certain information; providing for applicability; authorizing the department to adopt rules; providing an effective date.

By the Committee on Banking and Insurance; and Senator Richter—

CS for SB 1098—A bill to be entitled An act relating to general assignments; amending s. 727.103, F.S.; defining the term “negative notice”; amending s. 727.104, F.S.; requiring an assignee’s bond to be in at least a specific amount or double the liquidation value of the unencumbered and liquid assets of the estate, whichever is higher; amending s. 727.108, F.S.; authorizing an assignee to conduct certain discovery to determine whether to prosecute certain claims or causes of action; extending the time period an assignee may conduct the business of the assignor; authorizing the assignee to continue conducting the business of the assignor under certain circumstances by serving negative notice; amending s. 727.109, F.S.; extending the time period for which a court may authorize an assignee to conduct the business of the assignor; amending s. 727.110, F.S.; providing procedures for an assignee’s rejection of an unexpired lease of nonresidential real property or of personal property; requiring the assignee to serve a notice of rejection on certain persons and file it with the court; requiring that a notice of rejection for personal property include certain information about the affected property; specifying the effective date of the rejection; requiring the estate’s rights and obligations to and liability for the affected property to terminate under certain circumstances; amending s. 727.111, F.S.; extending the minimum time period for giving notice to the assignor and creditors; conforming language; providing a procedure for serving notice on certain persons; requiring an objection to be filed and served within a specific time period; requiring the notice to be in a specified form; providing that the assignee may take certain actions if an objection is not filed; requiring the court to hear a filed objection; authorizing the court to shorten negative notice under certain circumstances; providing that a party may raise the shortened notice period in certain objections; requiring a certificate of service for negative notice to be filed with the court under certain circumstances; requiring negative notice to be given to certain persons under certain circumstances; amending s. 727.113, F.S.; providing procedures for serving an objection to a claim; providing that the Florida Rules of Civil Procedure apply to objections to claims in all pending cases beginning on a specific date; creating s. 727.117, F.S.; requiring an assignee’s deed to be in a specific form; providing an effective date.

By the Committee on Health Policy; and Senator Garcia—

CS for SB 1112—A bill to be entitled An act relating to background screening; amending s. 322.142, F.S.; allowing the Department of Highway Safety and Motor Vehicles to share driver license photographs with the Agency for Health Care Administration pursuant to an inter-agency agreement; amending s. 408.809, F.S.; adding additional disqualifying offenses to background screening provisions; amending s. 435.04, F.S.; revising information to be submitted for a background screening; adding additional disqualifying offenses; amending s. 435.07, F.S.; revising terminology; requiring that individuals seeking an exemption from disqualification must have completed all nonmonetary conditions imposed by the court for the disqualifying felony; requiring that all persons seeking an exemption from disqualification have paid any court-ordered monetary penalty in full before being eligible to apply; amending s. 435.12, F.S.; requiring that a photograph of the person taken at the time the fingerprints are processed be submitted to the Care Provider Background Screening Clearinghouse before submission of the electronic fingerprints; requiring specified information to be included with the initiation of the screening registration within the clearinghouse; providing an effective date.

By the Committees on Banking and Insurance; and Health Policy—

CS for SB 1128—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the definition of the terms “health care coverage” or “health flex plan coverage” to include certain specified benefits; deleting the section’s expiration date; providing an effective date.

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

CS for CS for SB 1252—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.105, F.S.; revising a definition; providing that amendments to s. 489.113(2), F.S., enacted in s. 11, ch. 2012-13, Laws of Florida, are remedial and intended to clarify existing law; providing for retroactivity; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency’s enforcement of regulatory laws; deleting the definitions of “minor violation” and “notice of noncompliance”; deleting provisions that provide for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a license to be grandfathered; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising membership of the Florida Building Commission; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for the applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating systems; revising language; deleting provisions relating to a certain interest group; deleting provisions relating to the Department of Business and Professional Regulation; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information; amending s. 553.997, F.S.; deleting a provision relating to the department; amending s. 553.998, F.S.; revising provisions relating to rating compliance; providing a short title; creating the Florida Concrete Masonry Council, Inc.; authorizing the council to levy an assessment on the sale of concrete masonry units under certain circumstances; providing the powers and duties of the council and restrictions upon actions of the council; providing for appointment of the governing board of the council; authorizing the council to submit a referendum to manufacturers of concrete masonry units for authorization to levy an assessment on the sale of concrete masonry units; providing procedure for holding the referendum; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing requirements for the manufacturer’s collection of assessments; requiring the council to adopt bylaws; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Education; and Senator Montford—

CS for CS for SB 1276—A bill to be entitled An act relating to public meetings; amending s. 1004.28, F.S.; providing an exemption from public meeting requirements for certain portions of meetings of a university direct-support organization or of the executive committee or other

committees of the board of directors of such organization; providing for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Health Policy; and Senator Ring—

CS for SB 1368—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; amending s. 491.004, F.S.; deleting an obsolete provision; conforming provisions; amending s. 491.0045, F.S.; requiring registered interns to remain under supervision while maintaining registered intern status; providing for noncompliance; providing for the expiration of intern registrations and registered intern licenses; prohibiting specified persons from applying for an intern registration; amending s. 491.0046, F.S.; correcting cross-references; prohibiting specified persons from applying for a provisional license; amending s. 491.005, F.S.; revising the requirements for a clinical social worker license, a marriage and family therapist license, and a mental health counselor license; deleting a provision requiring certain registered interns to be certified as having met specified licensure requirements; amending s. 491.0057, F.S.; providing for future repeal of provisions providing for dual licensure as a marriage and family therapist; amending s. 491.006, F.S.; revising requirements of licensure or certification by endorsement; amending s. 491.007, F.S.; deleting a provision providing certified master social workers a limited exemption from continuing education requirements; deleting a provision requiring the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling to establish a procedure for the biennial renewal of intern registrations; amending s. 491.009, F.S.; revising acts constituting grounds for the denial of a license or disciplinary action; authorizing the board and the Department of Health to deny licensure or impose specified penalties against an applicant or licensee for certain violations; amending s. 491.0112, F.S.; revising a provision providing that a psychotherapist who commits sexual misconduct with a client or former client commits a felony of the third degree; amending s. 491.012, F.S.; prohibiting a person from using the title “mental health counselor coach” without a valid mental health counselor license; deleting an obsolete provision; amending s. 491.0145, F.S.; providing certified master social workers a limited exemption from continuing education requirements; amending s. 491.0149, F.S.; requiring the use of applicable professional titles by licensees, provisional licensees, and registrants on social media and other specified materials; creating s. 491.017, F.S.; providing a presumption of good faith for the actions of a court-appointed mental health professional who develops a parenting plan recommendation; prohibiting anonymous complaints; providing prerequisites for a parent to bring a suit against a mental health professional; providing for the awarding of attorney fees and court costs; providing an effective date.

By the Committee on Banking and Insurance; and Senator Richter—

CS for SB 1408—A bill to be entitled An act relating to captive insurance; replacing the term “captive insurer” with “captive insurance company” in part V of ch. 628, F.S.; amending s. 628.901, F.S.; revising definitions; amending s. 628.905, F.S.; expanding the risks that an industrial insured capital insurance company may insure; providing that an industrial insured captive insurance company may provide certain insurance if the company has and maintains unencumbered capital and surplus of a certain amount; amending s. 628.907, F.S.; conforming terms; amending s. 628.909, F.S.; conforming terms and requiring captive insurance companies to deposit and maintain securities for the protection of policyholders; amending ss. 628.9142, 628.915, 628.917, and 628.919, F.S.; conforming terms; providing an effective date.

By the Committees on Community Affairs; and Banking and Insurance; and Senator Simmons—

CS for CS for SB 1410—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled “General Provisions”; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code;

revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny, suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having fire safety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; requiring the State Fire Marshal to investigate certain fires and explosions under certain circumstances; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term “consultant”; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company’s investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, renumbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the employment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified fire safety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the “Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act” to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II

of ch. 633, F.S., entitled "Fire Safety and Prevention"; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform firesafety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to fire safety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to fire safety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting fire safety inspections; revising the period of validity of, and continuing education requirements for, fire safety inspector certificates; requiring repeat training for certified firesafety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a fire safety inspector certificate; requiring the department to provide by rule for the certification of Fire Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms "high-hazard occupancy" and "state-owned building"; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm out-buildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment

dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial renewal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547, F.S., relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate; deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying

classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, renumbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classifying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., relating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s. 633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College;

transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; transferring and renumbering s. 633.46, F.S., relating to fees to be charged for training; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transferring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in accordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s. 633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private firefighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 196.081, F.S.; revising a cross-reference to conform with changes made in the act; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home

residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.167, F.S., relating to the authority of the State Fire Marshal to place certain persons on probation; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings, quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.46, F.S., relating to authority of the Division of State Fire Marshal to fix and collect admission fees and other fees it deems necessary to be charged for training; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.517, F.S.; relating to the authority of the State Fire Marshal to adopt rules, administer oaths, and take testimony; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applicability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404, 509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Communications, Energy, and Public Utilities; and Senator Bradley—

CS for CS for SB 1594—A bill to be entitled An act relating to the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; amending s. 489.145, F.S.; revising the terms “agency,” “energy, water, and wastewater efficiency and conservation measure,” and “energy, water, or wastewater cost savings”; providing that a contract may provide for repayments to a lender of an installation construction loan in installments for a period not to exceed 20 years; requiring a contract to provide that repayments to a lender of an installation construction loan may be made over time, not to exceed 20 years from a certain date; requiring a contract to provide for a certain amount of repayment to the lender of the installation construction loan within 2 years of a specified date; authorizing certain facility alterations to be included in a performance contract and to be supervised by the performance savings contractor; limiting the time allotted to the Office of the Chief Financial Officer to review and approve an agency’s guaranteed energy, water, and wastewater performance savings contract; requiring that a proposed contract include an investment-grade audit certified by the Department of Management Services which states that the cost savings are appropriate and sufficient for the term of the contract; clarifying that, for funding purposes of consolidated financing of deferred payment commodity contracts, an agency means a state agency; conforming language; providing an effective date.

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

CS for SB 1696—A bill to be entitled An act relating to governmental procedures and legal proceedings; amending s. 57.111, F.S.; revising the definition of the term “small business party”; providing conditions under which a proceeding is not substantially justified for purposes of an award under the Florida Equal Access to Justice Act; amending s. 119.12, F.S.; specifying what constitutes reasonable costs of enforcement in a civil action against an agency to enforce ch. 119, F.S.; amending s. 120.52, F.S.; defining the term “small business” as used in the Administrative Procedure Act; amending s. 120.55, F.S.; providing for publication of notices of rule development and of rules filed for adoption; providing additional notice of rule development, proposals, and adoptions; amending s. 120.56, F.S.; providing that the petitioner challenging a proposed rule or unadopted agency statement has the burden of establishing a prima facie case; amending s. 120.569, F.S.; providing for extension of time to render final agency action in certain circumstances; amending s. 120.57, F.S.; conforming proceedings opposing agency action based on an invalid rule or unadopted rule to proceedings for challenging rules; requiring notice of whether the agency will rely on the challenged rule or unadopted rule; providing for the administrative law judge to make certain findings and enter a final order on the validity of the rule or the use of an unadopted rule; providing for stay of proceedings not involving disputed issues of fact upon timely filing of rule challenge; amending s. 120.573, F.S.; authorizing any party to request mediation of rule challenge and declaratory statement proceedings; amending s. 120.595, F.S.; providing for an award of attorney fees and costs in specified challenges to agency action; removing certain exceptions from requirements that attorney fees and costs be rendered against the agency in proceedings in which the petitioner prevails in a rule challenge; requiring service of notice of invalidity to an agency before bringing a rule challenge as a condition precedent to award of attorney fees and costs; providing for award of additional attorney fees and costs for litigating entitlement to and amount of attorney fees and costs in administrative actions; providing that such awards of additional attorney fees and costs are not subject to certain statutory limits; amending s. 120.68, F.S.; providing for appellate review of orders rendered in challenges to specified rules or unadopted rules; amending s. 120.695, F.S.; providing for the designation of minor violations; requiring agency review and certification rules, a violation of which would be considered a minor violation, by a certain date; providing sanctions for failure to provide certification; requiring certification of minor violation status for rules adopted after a certain date; requiring public notice; providing certain exclusions; amending ss. 420.9072, 420.9075, and 443.091, F.S.; conforming cross-references; providing an effective date.

By the Committees on Health Policy; and Children, Families, and Elder Affairs; and Senators Garcia and Grimsley—

CS for CS for SB 1724—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S., entitled “Transitional Living Facilities”; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to client admission, transfer, and discharge; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client’s representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; requiring a facility to provide a therapeutic milieu that supports a culture of individual empowerment and responsibility; providing that the health and safety of the client is the primary concern of the facility; providing requirements and limitations for the use of physical restraints, seclusion, and chemical restraint medication on clients; requiring the Agency for

Health Care Administration to adopt rules; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; authorizing the agency to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic systems for certain purposes; repealing s. 400.805, F.S., relating to transitional living facilities; providing that every transitional living facility licensed under s. 400.805, F.S., on or before a specified date is licensed under the provisions of the act; amending s. 381.745, F.S.; revising a definition; amending s. 381.75, F.S.; revising the duties of the Department of Health as they relate to transitional living facilities; amending s. 381.78, F.S.; conforming provisions to changes made by the act; amending ss. 408.802 and 408.820, F.S.; conforming a provision to changes made by the act; amending s. 400.93, F.S.; providing that transitional living facilities licensed under part XI of ch. 400, F.S., are exempt from home medical equipment provider licensure; amending s. 400.9905, F.S.; revising a definition; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Criminal Justice; and Senator Flores—

CS for CS for SB 1734—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

CS for SB 1756—A bill to be entitled An act relating to public records; creating s. 595.409, F.S.; providing an exemption from public records requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program held by the Department of Agriculture and Consumer Services, the Department of Children and Families, or the Department of Education; providing for specified disclosure; providing for applicability; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for SB 394—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets; amending s. 817.361, F.S.; providing definitions; prohibiting the fraudulent repurchase of a multiuse ticket; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the resale or repurchase of multiuse tickets; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations; and Rules.

By the Committee on Rules; and Senator Joyner—

CS for SB 402—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness for certain purposes; providing exemption from certain application fee requirements; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; transferring emergency assistance program funds to the homelessness prevention grant program; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committees on Rules; and Ethics and Elections; and Senator Braynon—

CS for CS for SB 544—A bill to be entitled An act relating to legislative lobbying expenditures; amending s. 11.045, F.S., and reenacting subsections (4)-(8), relating to lobbying before the Legislature; revising the term "expenditure" to exclude the use of a public facility or public property that is made available by a governmental entity to a legislator for a public purpose, to exempt such use from legislative lobbying requirements; providing exceptions when a member or an employee of the Legislature may accept certain expenditures made by a lobbyist or a principal; providing for the future expiration and the reversion as of a specified date of statutory text; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committees on Judiciary; Health Policy; and Community Affairs; and Senator Simmons—

CS for CS for CS for SB 726—A bill to be entitled An act relating to the regulation of family or medical leave benefits for employees; providing definitions; prohibiting a political subdivision from requiring or otherwise regulating family or medical leave benefits for employees; preempting regulation of family or medical leave benefits to the state; creating the Employer-Sponsored Benefits Study Task Force; directing Workforce Florida, Inc., to provide administrative and staff support services for the task force; establishing the purpose and composition of the task force; providing for reimbursement for per diem and travel expenses; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing for future repeal of the task force; providing that the act does not prohibit a political subdivision from establishing family or medical leave benefits for its employees; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring family or medical leave benefits under certain conditions; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy; and Senator Margolis—

CS for SB 808—A bill to be entitled An act relating to a needle and syringe exchange pilot program; amending s. 381.0038, F.S.; requiring the Department of Health to establish a needle and syringe exchange pilot program in Miami-Dade County; providing for administration of the pilot program by the department or a designee; establishing pilot program criteria; providing that the distribution of needles and syringes under the pilot program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a pilot program staff member or participant may be prosecuted; prohibiting the collection of participant identifying information; providing for the pilot program to be funded through private grants and donations; providing for expiration of the pilot program; requiring a report to the Legislature; providing rulemaking authority; providing for severability; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Banking and Insurance; and Senator Galvano—

CS for SB 860—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.02, F.S.; revising a definition; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or overutilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s. 440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; conforming cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Appropriations.

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

CS for CS for SB 1252—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.105, F.S.; revising a definition; providing that amendments to s. 489.113(2), F.S., enacted in s. 11, ch. 2012-13, Laws of Florida, are remedial and intended to clarify existing law; providing for retroactivity; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency's enforcement of regulatory laws; deleting the definitions of "minor violation" and "notice of noncompliance"; deleting provisions that provide

for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a license to be grandfathered; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising membership of the Florida Building Commission; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for the applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating systems; revising language; deleting provisions relating to a certain interest group; deleting provisions relating to the Department of Business and Professional Regulation; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information; amending s. 553.997, F.S.; deleting a provision relating to the department; amending s. 553.998, F.S.; revising provisions relating to rating compliance; providing a short title; creating the Florida Concrete Masonry Council, Inc.; authorizing the council to levy an assessment on the sale of concrete masonry units under certain circumstances; providing the powers and duties of the council and restrictions upon actions of the council; providing for appointment of the governing board of the council; authorizing the council to submit a referendum to manufacturers of concrete masonry units for authorization to levy an assessment on the sale of concrete masonry units; providing procedure for holding the referendum; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing requirements for the manufacturer's collection of assessments; requiring the council to adopt bylaws; providing an effective date.

—was referred to the Committees on Community Affairs; and Appropriations.

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

CS for CS for CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term "committee of continuous existence" to conform to changes made by the act; revising the definition of the term "election" to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes his or her candidacy to a different office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025,

F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly-elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commission; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer's reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; providing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term "same office"; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147,

106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **SB 212**, which he approved on April 11, 2013.

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate has been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Withlacoochee Regional Planning Council, Region 5 Appointee: Selph, Walter E., Brooksville	10/01/2015

Referred to the Committee on Ethics and Elections.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 10 was corrected and approved.

CO-INTRODUCERS

Senators Bradley—CS for SB 142; Bullard—CS for CS for SB 1106

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:11 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Tuesday, April 16 or upon call of the President.