



Journal of the Senate

Number 6—Regular Session

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CALL TO ORDER

The Senate was called to order by President Gaetz at 1:30 p.m. A quorum present—38:

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

PRAYER

The following prayer was offered by Pastor Neil Spencer, Coastline Calvary Chapel, Destin:

Heavenly Father, you truly are the Almighty God, our Creator, our Redeemer, our Sustainer, and our Friend. Father, it is my great honor and privilege to stand before you and these honorable men and women whom you have chosen to serve and to lead the citizens of this great State of Florida. Father, we are here today to ask that your hand of blessing and your hand of discernment be upon our Senate leaders in this session as they gather here.

I pray that you would grant them your wisdom, knowledge, and understanding as they seek you in the decisions they make. I pray that you would help them to faithfully represent well the citizens of this great State of Florida who have elected them to serve in this place of leadership.

I pray that you aid them as our representatives, but Lord, truly they are your chosen vessels. I pray that you would grant those here today the knowledge and ability to administer the business of this great State of Florida, both justly and fairly.

Use these men and women, Lord, for your ultimate glory and our ultimate good. We ask this in your name, Amen.

PLEDGE

Senate Pages, James DiMarco of Tallahassee; Jeffrey Mitchell of Zephyrhills; Matthew Hoch of Wellington; Hannah Farmer of Parkland; and Nina Kumar of Chuluota, 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 E. Winchester of Gainesville, sponsored by Senator Bradley, as the doctor of the day. Dr. Winchester specializes in cardiology.

SPECIAL GUESTS

Senator Legg introduced his son, Jack Legg, who was present in the chamber.

ADOPTION OF RESOLUTIONS

On motion by Senator Legg—

By Senator Legg—

SR 1680—A resolution recognizing the exceptional achievements of the film industry in India and celebrating the Tampa Bay area’s hosting of the 15th annual International Indian Film Academy Awards celebration on April 23-26, 2014.

WHEREAS, the International Indian Film Academy (IIFA) is dedicated to the promotion of Indian cinema worldwide, placing it on an international stage by fostering exchange and interaction to enhance business opportunities, and

WHEREAS, over the course of the last 15 years, the annual IIFA awards celebration, initiated by Wizcraft International Entertainment and its founders Wizzes Andre Timmins, Sabbas Joseph, and Viraf Sarkari, has grown into a highly anticipated international event, attracting filmmakers and acclaimed actors in celebration of Indian cinema, and

WHEREAS, on April 23-26, 2014, the Tampa Bay area will host the 15th annual Videocon D2H IIFA Weekend celebration, which will culminate with the glitz and glamour of the Tata Motors IIFA Awards, and

WHEREAS, the Tata Motors IIFA Awards will be hosted by Farhan Akhtar and Shahid Kapoor and will include performances by Priyanka Chopra, Hrithik Roshan, Ranveer Singh, and Madhuri Dixit and participation by Anil Kapoor, Vidya Balan, Preity Zinta, and Deepika Padukone, and

WHEREAS, IIFA Magic of the Movies will be hosted by Saif Ali Khan and Vir Das and will include performances by Kareena Kapoor, Sonakshi Sinha, Bipasha Basu, Pritam, Rahat Fateh Ali Khan, Aditi Rao Hydari, and Shruti Haasan, and

WHEREAS, the 15th annual IIFA Weekend celebration will showcase the Tampa Bay area’s many attractions and cultural venues, NOW, THEREFORE,

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

That the exceptional achievements of the film industry in India and the Tampa Bay area's hosting of the 15th annual International Indian Film Academy Weekend and Awards celebration on April 23-26, 2014, are recognized and celebrated.

—was introduced out of order and read by title. On motion by Senator Legg, **SR 1680** was read the second time by title and adopted.

INTRODUCTION OF FORMER SENATORS

Senator Thompson introduced former Senators Anthony C. "Tony" Hill, Sr. and James T. "Jim" Hargrett, Jr. who were present in the chamber.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz
President, The Florida Senate

March 20, 2014

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: Robinson, Eric W.	10/31/2017
Board of Architecture and Interior Design Appointees: Bao-Garciga, Aida Johnson, James Emory Rivers, E. Dylan Toppe, Jonathan R.	10/31/2015 10/31/2017 10/31/2016 10/31/2017
Board of Athletic Training Appointees: Schwartzberg, Randy S. VanOpdorp, Heather L.	10/31/2015 10/31/2014
Florida Building Commission Appointees: Bahadori, Hamid R. Compton, David L.	02/07/2017 01/13/2017
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling Appointee: Cavitt, William F.	10/31/2017
Regulatory Council of Community Association Managers Appointee: Allende, Pedro M.	10/31/2014
Florida Commission on Community Service Appointees: Glickman, Susan Rovira-Forino, Maritza Seevers, Sarah E.	09/14/2015 09/14/2014 09/14/2014
Board of Trustees of Daytona State College Appointees: Davis, Robert C. Giles, Bradley S. Haas, Mary Ann	05/31/2017 05/31/2017 05/31/2017
Board of Trustees of Florida State College at Jacksonville Appointees: Fullwood, Latasha Majdanics, Thomas J. Mayo, Jimmie L. White, Patricia F.	05/31/2017 05/31/2017 05/31/2015 05/31/2017
Board of Trustees of Florida Keys Community College Appointee: Koenig, Timothy J.	05/31/2017
Board of Trustees of Hillsborough Community College Appointees: Diehl, Arthur F., III Reid, Randall H.	05/31/2017 05/31/2017

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Florida Gateway College Appointees: Brannan, Robert C., III Lander, Lindsey	05/31/2015 05/31/2014
Board of Trustees of State College of Florida, Manatee-Sarasota Appointees: Bailey, Edward Hager, Marlen J., Jr.	05/31/2017 05/31/2017
Board of Trustees of North Florida Community College Appointees: Benoit, Ann Sharon Gunter, Dawn Elizabeth Washington, William D. Wright, Lloyd Gary	05/31/2015 05/31/2015 05/31/2014 05/31/2015
Board of Trustees of St. Johns River State College Appointees: Davis, Wendell D. Webb, Mary Ellen	05/31/2017 05/31/2017
Board of Trustees of Valencia College Appointees: Boyce, Lucas Daniel Carlson, Bruce A. Lopez-Cid, Daisy	05/31/2015 05/31/2015 05/31/2016
Construction Industry Licensing Board Appointee: Lawson, Keith O., II	10/31/2016
Board of Cosmetology Appointees: Fincel, Ginny Adair Ritenbaugh, Laurel K.	10/31/2014 10/31/2016
Education Practices Commission Appointees: Diaz, Marisol Farmer, Diane A.	09/30/2017 09/30/2017
Electrical Contractors' Licensing Board Appointee: Bramlett, Robert M.	10/31/2015
Commission on Ethics Appointees: Ford, Ivan Martin Maurer, Susan Horovitz Robison, Linda M. Weston, Stanley M.	06/30/2015 06/30/2015 06/30/2015 06/30/2015
Board of Funeral, Cemetery, and Consumer Services Appointees: Brandenburg, Joseph A. Davis, James E. Knopke, Keenan Lacy Oliver, Vanessa Grant	09/30/2017 09/30/2017 09/30/2017 09/30/2017
Board of Trustees of South Lake County Hospital District Appointees: Binney, Curtis A. Jones, JoAnn	07/05/2017 07/05/2016
Florida Housing Finance Corporation Appointees: Dubuque, Ray E. Hawthorne, John D., Jr. Katz, Brian J. Tylka, Leonard "Len" A., Jr.	11/13/2016 11/13/2016 11/13/2016 11/13/2016
Florida Commission on Human Relations Appointee: Daniel, Clyde Derick	09/30/2017
Board of Massage Therapy Appointee: Walker, Jonathan E.	10/31/2015
Board of Medicine Appointees: Di Pietro, Nina Fernandez, Bernardo B. Ginzburg, Enrique Rosenberg, Steven TerKonda, Sarvam P. Tootle, Joy A.	10/31/2016 10/31/2016 10/31/2016 10/31/2015 10/31/2016 10/31/2016
Board of Nursing Appointees: Trybulski, JoAnn	10/31/2016

<i>Office and Appointment</i>	<i>For Term Ending</i>
Whitson, Kathryn L.	10/31/2015
Board of Nursing Home Administrators	
Appointees: Gerrity, Henry, III	10/31/2016
Hankerson, Christine	10/31/2014
Lipman, Scott	10/31/2014
Board of Orthotists and Prosthetists	
Appointees: Chmielewski, Thomas J.	10/31/2016
Gooljar, Ruphlal R.	10/31/2014
Griner, Addam C.	10/31/2015
Meyer, George H., Jr.	10/31/2016
Saunders, Brett R.	10/31/2014
Florida Real Estate Commission	
Appointees: Chotas, Elias Nicholas	10/31/2016
Fryer, Richard T.	10/31/2017
East Central Florida Regional Planning Council, Region 6	
Appointee: Rivas, Jose A., Jr.	10/01/2015
Southwest Florida Regional Planning Council, Region 9	
Appointee: Mulhere, Robert J.	10/01/2014
South Florida Regional Planning Council, Region 11	
Appointee: Walters, Sandra	10/01/2015
Board of Professional Surveyors and Mappers	
Appointees: Conkling, Frank James	10/31/2017
Talbott, Patrick	10/31/2017

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Corrections	
Appointee: Crews, Michael D.	Pleasure of Governor

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida International University	
Appointee: Arrizurieta, Jorge L.	01/06/2018
Board of Trustees, University of South Florida	
Appointees: Hopes, Scott L.	01/06/2018
Watkins, Nancy Hemmingway	01/06/2016

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

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2014 Regular Session; and

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

Respectfully submitted,
Jack Latvala, Chair

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

The vote was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Thompson

SPECIAL GUESTS

Senator Evers introduced his father, John Robert Evers; his mother, Jequita Evers; and his sister, Kay Dawson, who were present in the gallery.

ADOPTION OF RESOLUTIONS

On motion by Senator Smith—

By Senator Smith—

SR 1684—A resolution recognizing the invaluable contributions of Florida Park Service volunteers to this state.

WHEREAS, the mission of the Florida Park Service is to provide resource-based recreation while preserving, interpreting, and restoring natural and cultural resources, and

WHEREAS, public service is the central theme of every Florida Park Service endeavor, with high standards of management and service earning the park service bragging rights as the first three-time National Gold Medal winner for excellence in the management of state park systems, and

WHEREAS, initiated in 1977, the official volunteer program of the Florida Park Service allows volunteers to provide a much-needed supplemental work force to enhance overall park service operations, and

WHEREAS, opportunities for volunteer service are as diverse as the parks themselves and include service in the areas of resource management and environmental education and interpretation, and

WHEREAS, volunteers with the Florida Park Service expand the ability of the service to provide quality service, professionalism, support, and stewardship without increasing the cost to visitors and taxpayers, and

WHEREAS, Florida Park Service volunteers play a critical role in helping this state to preserve our natural and cultural heritage for future generations, NOW, THEREFORE,

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

That the invaluable contributions of Florida Park Service volunteers to this state are recognized.

—was introduced out of order and read by title. On motion by Senator Smith, **SR 1684** was read the second time in full and adopted.

At the request of Senator Simmons—

By Senators Simmons, Bradley, Altman, Evers, and Montford—

SR 1028—A resolution recognizing the critical mission of the American Red Cross in Florida and its Prepare Florida campaign.

WHEREAS, the American Red Cross is a humanitarian organization founded in 1881 and originally chartered by Congress as a federal instrumentality in 1900, but receives no federal funding, and

WHEREAS, 2014 marks the 133rd anniversary of the American Red Cross and the centennial of the organization’s first chartered chapter in Florida, and

WHEREAS, the American Red Cross prevents and alleviates human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors, and

WHEREAS, American Red Cross disaster assistance is free, and 91 cents of every dollar donated goes directly to mission service delivery, and

WHEREAS, the American Red Cross has answered the call to assist and prepare Floridians before, during, and after disasters since 1901, and

WHEREAS, the American Red Cross in Florida, composed of five regions, has developed a 3-year, multi-million dollar statewide preparedness campaign, and

WHEREAS, the Prepare Florida campaign has specific preparedness goals to increase feeding capacity from 250,000 to 500,000 meals per day; to increase outreach from 177,500 to 350,000 people; to increase volunteers from 4,500 to 10,000 trained community leaders; to train 500,000 people with life-saving first aid/CPR/AED skills; and to procure 15 new emergency response vehicles over a 3-year period, and

WHEREAS, March is recognized as “American Red Cross Month” across this nation, and

WHEREAS, the preparedness goals outlined in the American Red Cross Prepare Florida campaign, and the organization’s call for every resident of this state to assemble a disaster preparedness kit, make a plan, and be informed before a natural or man-made disaster strikes will save lives, NOW, THEREFORE,

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

That we recognize the critical mission of the American Red Cross in Florida and its Prepare Florida campaign.

—**SR 1028** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 1644—A resolution recognizing March 20, 2014, as “The Links, Incorporated, Day at the Capitol” and applauding the organization’s efforts to create a better quality of life for the residents of this state.

WHEREAS, The Links, Incorporated, established in 1946 with its mission and purpose of friendship through community service, is com-

posed of more than 12,000 members, located in 41 states, the District of Columbia, and the Commonwealth of the Bahamas, and

WHEREAS, members of The Links, Incorporated, are women of African ancestry who are well-educated, highly skilled and trained, and capable of assisting others in overcoming adverse conditions and fostering remedies that are critical to the well-being of society, such as science, technology, education, and mathematics (STEM) education and its effect on African-American youths, and

WHEREAS, working through its five functional facets, International Trends and Services, National Trends and Services, The Arts, Services to Youth, and Health and Human Services, The Links, Incorporated, relies heavily on the expertise of its professional members, including computer analysts, engineers, scientists, statisticians, and educators, who work in collaboration with other specialists to have a greater impact on society through relevant and creative initiatives, and

WHEREAS, The Links, Incorporated, is promoting the eradication of racial disparities in the public’s right to safety, enhanced student achievement in STEM educational programs, and increased funding for mentoring programs that serve at-risk youth populations, and encouraging continued funding for financial assistance and educational opportunities for minority students, and

WHEREAS, a host of “Links” representing the 19 Florida chapters of the Southern Area of The Links, Incorporated, have converged on the Capitol to show their solidarity and support for the eradication of racial disparities with regard to the public’s right to safety, STEM education, increased funding for mentoring programs for at-risk youths, and sufficient financial assistance and educational opportunities for minority students, NOW, THEREFORE,

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

That the Senate welcomes members of The Links, Incorporated, from the Southern Area, applauds their passion for STEM education career readiness initiatives, mentoring our youth and eradicating childhood obesity, and recognizes March 20, 2014, as “The Links, Incorporated, Day at the Capitol.”

BE IT FURTHER RESOLVED that a copy of this resolution with the Seal of the Senate affixed, be presented to Eneid A. Francis, Southern Area Director of The Links, Incorporated, as a tangible token of the sentiments expressed in this resolution.

—**SR 1644** was introduced, read and adopted by publication.

At the request of Senator Latvala—

By Senator Latvala—

SR 1652—A resolution recognizing Saturday, September 27, 2014, and the last Saturday of September each year thereafter, as the Green Apple Day of Service in Florida.

WHEREAS, the Green Apple Day of Service, conceived by the Center for Green Schools at the U.S. Green Building Council (USGBC), has provided a focal point for communities to transform school environments to make them healthier, more sustainable places to learn, and

WHEREAS, in its 2012 inaugural year, more than 1,250 communities, spanning all 50 states and 49 countries, hosted Green Apple Day of Service projects to improve our schools through environmental education and community events, and

WHEREAS, the Center for Green Schools has collaborated with partners from the public, private, and nonprofit sectors to share community project ideas and step-by-step instructions for organizing school service projects, and

WHEREAS, on September 27, 2014, the USGBC will organize the third Green Apple Day of Service, when green school advocates from across the country and around the world, including USGBC chapters, international green building councils, elected officials, teachers, parents, and students, will come together in support of green schools by taking action in their communities, NOW, THEREFORE,

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

That Saturday, September 27, 2014, and the last Saturday of September each year thereafter, is recognized as the Green Apple Day of Service in Florida, and the efforts of the Center for Green Schools to make schools a healthier environment for student growth and education are commended.

—**SR 1652** was introduced, read and adopted by publication.

At the request of Senator Legg—

By Senator Legg—

SR 1682—A resolution commending the Florida Association for Behavior Analysis on its 34th Anniversary and recognizing the week of September 15-19, 2014, as “Florida Behavior Analysis Week” in this state.

WHEREAS, the Florida Association for Behavior Analysis is the nation’s largest statewide organization committed to the promotion and support of behavior analysis, and

WHEREAS, for the past 34 years the Florida Association for Behavior Analysis has promoted the ethical, humane, and effective application of behavior principles in all aspects of society, including education, business, rehabilitation facilities, and government, and

WHEREAS, behavior analysis is a science-based, cost-effective approach for training teachers, parents, and caregivers to prevent and solve serious behavior problems, and

WHEREAS, behavior analysis has demonstrated its effectiveness for many applications, including the treatment of autistic individuals, teaching basic self-help skills and language to persons with developmental disabilities, and helping foster parents lovingly raise emotionally difficult children, and

WHEREAS, the behavior analysts who are members of the Florida Association for Behavior Analysis have diverse backgrounds, including consulting firms, state government programs, private therapy practices, and school administrations, and

WHEREAS, the Florida Association for Behavior Analysis holds an annual conference each fall as a forum for exchanging ideas and data-based research relating to behavior analysis, behavior therapy, performance management, and behavior management programming, NOW, THEREFORE,

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

That the Florida Association for Behavior Analysis is recognized for its 34 years of contributions to the field of behavior analysis and that the week of September 15-19, 2014, is recognized as “Florida Behavior Analysis Week” in this state.

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

—**SR 1682** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senators Joyner and Gibson—

SR 1688—A resolution acknowledging the remarkable contributions made to the people of this state by Delta Sigma Theta Sorority, Inc., and recognizing March 23-25, 2014, as the 20th Annual “Delta Days at the Florida Capitol.”

WHEREAS, Delta Sigma Theta Sorority, Inc., is a public service organization founded on January 13, 1913, by 22 illustrious collegiate

African-American women at Howard University in Washington, D.C., and

WHEREAS, nearly 6 weeks after its founding, the first public act of Delta Sigma Theta Sorority, Inc., was its participation in the Women’s Suffrage Movement, demanding rights for women, particularly the right to vote, an act for which they could not fathom the historic footprint they were leaving for generations to follow, and

WHEREAS, Delta Sigma Theta Sorority, Inc., is a sisterhood of college-educated women committed to implementing the sorority’s mission through its Five-Point Program Thrust: economic development, educational development, physical and mental health, political awareness and involvement, and international awareness and involvement, and

WHEREAS, Delta Sigma Theta Sorority, Inc., in 2013 celebrated 100 years of commendable service and support to local communities, leading dialogue on public policy issues, supporting quality education, producing new projects to stimulate current and future economic growth, and improving the holistic well-being of minority populations internationally, and

WHEREAS, with more than 250,000 college-educated women initiated and more than 950 chapters worldwide, 52 of which are located in Florida and the Bahamas, members of Delta Sigma Theta Sorority, Inc., are clearly focused and visible as corporate and civic leaders, productive public officials, acclaimed academicians, and activists in their own right, and

WHEREAS, for the past 19 years, the Florida chapters of Delta Sigma Theta Sorority, Inc., have conducted “Delta Days at the Florida Capitol,” where members advocate for social justice and broaden their knowledge of the state’s legislative process and provide information to state legislators and members of the executive branch which is vital to developing public policy; and monitor the progress of pending legislation relevant to significant public policy issues, and

WHEREAS, on March 23-25, 2014, under the leadership of Southern Regional Director Cheryl W. Turner and Southern Regional Representative Manica Pierrette, members of the 52 chapters of Delta Sigma Theta Sorority, Inc., now serving Florida and the Bahamas will converge in Tallahassee to participate in the 20th annual “Delta Days at the Florida Capitol,” celebrating the theme set forth by National President Paulette Walker, “Uncompromising Commitment to Communities: Service, Leadership, Empowerment,” and

WHEREAS, Senators Audrey Gibson and Arthenia L. Joyner and Representative Gwyndolen Clarke-Reed are esteemed members of Delta Sigma Theta Sorority, Inc., NOW, THEREFORE,

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

That the Florida Senate commends the remarkable contributions made to the people of this state by Delta Sigma Theta Sorority, Inc., and recognizes March 23-25, 2014, as the 20th Annual “Delta Days at the Florida Capitol.”

—**SR 1688** was introduced, read and adopted by publication.

SPECIAL GUESTS

The President introduced Senator Smith’s wife, Desorae Giles-Smith, who was present in the gallery.

MOTIONS

On motion by Senator Thrasher, consideration of the remaining Reports of Committees was deferred until the completion of the Special Order Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 528, with 1 amendment, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for SB 528—A bill to be entitled An act relating to sex offenses; amending s. 68.07, F.S.; requiring the Department of Law Enforcement to inform the clerk of the court if a person petitioning for a name change has registered as a sexual predator or sexual offender; requiring that each name change petition show whether the petitioner has ever been required to register as a sexual predator or sexual offender; requiring certain agencies to be notified of an order granting a name change to a person required to register as a sexual predator or sexual offender; requiring the Department of Law Enforcement and certain law enforcement agencies to be notified when a person required to register as a sexual predator or sexual offender and granted a legal name change fails to meet requirements to obtain a replacement driver license or identification card; amending s. 775.21, F.S.; revising definitions; providing that voluntary disclosure of specified information waives a disclosure exemption for such information; adding additional offenses to the list of sexual predator qualifying offenses; requiring disclosure of additional information during the sexual predator registration process; requiring that a sexual predator who is unable to secure or update a driver license or identification card within a specified period report a change in certain information to the local sheriff's office within a specified time after such change and confirm that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; requiring reporting of transient residence information within specified time periods; requiring sheriffs to establish procedures for reporting transient residence information; authorizing sheriffs to enter into agreements for reporting transient residence information; providing a criminal penalty for failure to report transient residence information; revising reporting requirements if a sexual predator plans to leave the United States for more than a specified time; authorizing sheriffs to verify the address of registrants under the care, custody, control, or supervision of the Department of Corrections; providing criminal penalties for knowingly providing false registration information by act or omission; authorizing additional venues for prosecution of registration violations; conforming provisions to changes made by the act; amending s. 775.25, F.S.; authorizing additional venues for prosecution of registration violations; amending s. 943.043, F.S.; prohibiting display or dissemination of certain vehicle information on the Internet public registry of sexual predators and offenders; amending s. 943.0435, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; revising definitions; requiring disclosure of additional sexual offender registration information; requiring reporting of transient residence information within specified time periods; requiring sheriffs to establish procedures for reporting transient residence information; authorizing sheriffs to enter into agreements for reporting transient residence information; providing a criminal penalty for failure to report transient residence information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period report a change in certain information to the local sheriff's office within a specified period of time of such change and confirm that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; authorizing sheriffs to verify the address of registrants under the care, custody, and control, or supervision of the Department of Corrections; providing additional requirements for sexual offenders intending to reside outside of the United States; authorizing additional venues for prosecution of registration violations; revising criteria applicable to provisions that allow removal of the requirement to register as a sexual offender; providing criminal penalties for knowingly providing false registration information by act or omission; conforming provisions to changes made by the act; amending s. 943.04354, F.S.; revising the criteria applicable to provisions that allow removal of the requirement to register as a sexual offender or sexual predator; amending s. 943.0437, F.S.; conforming terminology; amend-

ing ss. 944.606 and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; revising definitions; requiring disclosure of additional registration information; providing criminal penalties for knowingly providing false registration information by act or omission; conforming provisions to changes made by the act; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of additional registration information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 921.0022, F.S.; updating provisions of the offense severity ranking chart of the Criminal Punishment Code to reflect prior changes in the law; conforming provisions of the offense severity ranking chart to changes made by the act; providing an effective date.

House Amendment 1 (634967) (with title amendment)—Remove lines 130-1755 and insert: *register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435.*

(j)(4) Whether any money judgment has ever been entered against the petitioner and if so, the name of the judgment creditor, the amount and date thereof, the court by which entered, and whether the judgment has been satisfied.

(k)(4) That the petition is filed for no ulterior or illegal purpose and granting it will not in any manner invade the property rights of others, whether partnership, patent, good will, privacy, trademark, or otherwise.

(l)(4) That the petitioner's civil rights have never been suspended or, if the petitioner's civil rights have been suspended, that full restoration of civil rights has occurred.

(6) The clerk of the court must, *within 5 business days after upon* the filing of the final judgment, send a report of the judgment to the Department of Law Enforcement on a form to be furnished by that department. *If the petitioner is required to register as a sexual predator or a sexual offender pursuant to s. 775.21 or s. 943.0435, the clerk of court shall electronically notify the Department of Law Enforcement of the name change, in a manner prescribed by that department, within 2 business days after the filing of the final judgment.* The Department of Law Enforcement must send a copy of the report to the Department of Highway Safety and Motor Vehicles, which may be delivered by electronic transmission. The report must contain sufficient information to identify the petitioner, including the results of the criminal history records check if applicable, the new name of the petitioner, and the file number of the judgment. *The Department of Highway Safety and Motor Vehicles shall monitor the records of any sexual predator or sexual offender whose name has been provided to it by the Department of Law Enforcement. If the sexual predator or sexual offender does not obtain a replacement driver license or identification card within the required time as specified in s. 775.21 or s. 943.0435, the Department of Highway Safety and Motor Vehicles shall notify the Department of Law Enforcement. The Department of Law Enforcement shall notify applicable law enforcement agencies of the predator's or offender's failure to comply with registration requirements.* Any information retained by the Department of Law Enforcement and the Department of Highway Safety and Motor Vehicles may be revised or supplemented by said departments to reflect changes made by the final judgment. With respect to a person convicted of a felony in another state or of a federal offense, the Department of Law Enforcement must send the report to the respective state's office of law enforcement records or to the office of the Federal Bureau of Investigation. The Department of Law Enforcement may forward the report to any other law enforcement agency it believes may retain information related to the petitioner.

Section 2. Paragraphs (i) and (m) of subsection (2), paragraph (a) of subsection (4), subsections (6) and (8), and paragraphs (a) and (d) of subsection (10) of section 775.21, Florida Statutes, are amended, and paragraph (n) is added to subsection (2) of that section, to read:

775.21 The Florida Sexual Predators Act.—

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

(i) "*Internet identifier* ~~Instant message name~~" means *all electronic mail, chat, instant messenger, social networking, application software, or similar names used for Internet communication, but does not include a*

date of birth, social security number, or personal identification number (PIN). Voluntary disclosure by a sexual predator of his or her date of birth, social security number, or PIN as an Internet identifier waives the disclosure exemption in this paragraph for such personal information ~~an identifier that allows a person to communicate in real time with another person using the Internet.~~

(m) "Transient residence" means a ~~place or~~ county where a person lives, remains, or is located for a period of 5 or more days in the aggregate during a calendar year and which is not the person's permanent or temporary address. The term includes, but is not limited to, a place where the person sleeps or seeks shelter and a location that has no specific street address.

(n) "Vehicles owned" means any motor vehicle as defined in s. 320.01, which is registered, co-registered, leased, titled, or rented by a sexual predator or sexual offender; a rented vehicle that a sexual predator or sexual offender is authorized to drive; or a vehicle for which a sexual predator or sexual offender is insured as a driver. The term also includes any motor vehicle as defined in s. 320.01, which is registered, co-registered, leased, titled, or rented by a person or persons residing at a sexual predator's or sexual offender's permanent residence for 5 or more consecutive days.

(4) SEXUAL PREDATOR CRITERIA.—

(a) For a current offense committed on or after October 1, 1993, upon conviction, an offender shall be designated as a "sexual predator" under subsection (5), and subject to registration under subsection (6) and community and public notification under subsection (7) if:

1. The felony is:

a. A capital, life, or first-degree felony violation, or any attempt thereof, of s. 787.01 or s. 787.02, where the victim is a minor and the defendant is not the victim's parent or guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a violation of a similar law of another jurisdiction; or

b. Any felony violation, or any attempt thereof, of s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025 ~~825.1025(2)(b)~~; s. 827.071; s. 847.0135, excluding s. 847.0135(6) ~~847.0135(5)~~; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a violation of a similar law of another jurisdiction, and the offender has previously been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a violation of a similar law of another jurisdiction;

2. The offender has not received a pardon for any felony or similar law of another jurisdiction that is necessary for the operation of this paragraph; and

3. A conviction of a felony or similar law of another jurisdiction necessary to the operation of this paragraph has not been set aside in any postconviction proceeding.

(6) REGISTRATION.—

(a) A sexual predator shall ~~must~~ register with the department through the sheriff's office by providing the following information to the department:

1. Name; social security number; age; race; sex; date of birth; height; weight; *tattoos or other identifying marks*; hair and eye color; photograph; address of legal residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any tran-

sient residence within the state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; ~~all any~~ electronic mail addresses ~~address~~ and ~~all Internet identifiers any instant message name~~ required to be provided pursuant to subparagraph (g)5. ~~(g)4~~; ~~all home telephone numbers number~~ and ~~any cellular telephone numbers number~~; date and place of any employment; ~~the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned~~; date and place of each conviction; fingerprints; *palm prints*; and a brief description of the crime or crimes committed by the offender. A post office box ~~may shall~~ not be provided in lieu of a physical residential address. ~~The sexual predator shall produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual predator shall also provide information about any professional licenses he or she has.~~

a. If the sexual predator's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual predator shall also provide to the department written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a sexual predator's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide to the department written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

b. If the sexual predator is enrolled, employed, *volunteering*, or carrying on a vocation at an institution of higher education in this state, the sexual predator shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual predator's enrollment, *volunteer*, or employment status. Each change in enrollment, *volunteer*, or employment status ~~must shall~~ be reported in person at the sheriff's office, or the Department of Corrections if the sexual predator is in the custody or control of or under the supervision of the Department of Corrections, within 48 hours after any change in status. The sheriff or the Department of Corrections shall promptly notify each institution of the sexual predator's presence and any change in the sexual predator's enrollment, *volunteer*, or employment status.

c. A sexual predator shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.

2. Any other information determined necessary by the department, including criminal and corrections records; nonprivileged personnel and treatment records; and evidentiary genetic markers when available.

(b) If the sexual predator is in the custody or control of, or under the supervision of, the Department of Corrections, or is in the custody of a private correctional facility, the sexual predator shall ~~must~~ register with the Department of Corrections. A sexual predator who is under the supervision of the Department of Corrections but who is not incarcerated shall ~~must~~ register with the Department of Corrections within 3 business days after the court finds the offender to be a sexual predator. The Department of Corrections shall provide to the department registration information and the location of, and local telephone number for, any Department of Corrections office that is responsible for supervising the sexual predator. In addition, the Department of Corrections shall notify the department if the sexual predator escapes or absconds from custody or supervision or if the sexual predator dies.

(c) If the sexual predator is in the custody of a local jail, the custodian of the local jail shall register the sexual predator within 3 business days after intake of the sexual predator for any reason and upon release, and shall forward the registration information to the department. The custodian of the local jail shall also take a digitized photograph of the sexual predator while the sexual predator remains in custody and shall provide the digitized photograph to the department. The custodian shall notify the department if the sexual predator escapes from custody or dies.

(d) If the sexual predator is under federal supervision, the federal agency responsible for supervising the sexual predator may forward to the department any information regarding the sexual predator which is consistent with the information provided by the Department of Corrections under this section, and may indicate whether use of the information is restricted to law enforcement purposes only or may be used by the department for purposes of public notification.

(e)1. If the sexual predator is not in the custody or control of, or under the supervision of, the Department of Corrections or is not in the custody of a private correctional facility, the sexual predator shall register in person:

a. At the sheriff's office in the county where he or she establishes or maintains a residence within 48 hours after establishing or maintaining a residence in this state; and

b. At the sheriff's office in the county where he or she was designated a sexual predator by the court within 48 hours after such finding is made.

2. Any change in the sexual predator's permanent or temporary residence, name, *vehicles owned*, ~~or any electronic mail addresses, or Internet identifiers address and any instant message name~~ required to be provided pursuant to subparagraph (g)5. ~~(g)4.~~, after the sexual predator registers in person at the sheriff's office as provided in subparagraph 1., ~~must shall~~ be accomplished in the manner provided in paragraphs (g), (i), and (j). When a sexual predator registers with the sheriff's office, the sheriff shall take a photograph, ~~and~~ a set of fingerprints, ~~and palm prints~~ of the predator and forward the photographs, *palm prints*, and fingerprints to the department, along with the information that the predator is required to provide pursuant to this section.

(f) Within 48 hours after the registration required under paragraph (a) or paragraph (e), a sexual predator who is not incarcerated and who resides in the community, including a sexual predator under the supervision of the Department of Corrections, shall register in person at a *driver driver's* license office of the Department of Highway Safety and Motor Vehicles and shall present proof of registration. At the *driver driver's* license office the sexual predator shall:

1. If otherwise qualified, secure a Florida *driver driver's* license, renew a Florida *driver driver's* license, or secure an identification card. The sexual predator shall identify himself or herself as a sexual predator who is required to comply with this section, provide his or her place of permanent, temporary, or transient residence, including a rural route address and a post office box, and submit to the taking of a photograph for use in issuing a *driver driver's* license, renewed license, or identification card, and for use by the department in maintaining current records of sexual predators. A post office box ~~may shall~~ not be provided in lieu of a physical residential address. If the sexual predator's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual predator shall also provide to the Department of Highway Safety and Motor Vehicles the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a sexual predator's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide to the Department of Highway Safety and Motor Vehicles the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

2. Pay the costs assessed by the Department of Highway Safety and Motor Vehicles for issuing or renewing a *driver driver's* license or identification card as required by this section. The *driver driver's* license or identification card issued to the sexual predator must ~~comply be in compliance~~ with s. 322.141(3).

3. Provide, upon request, any additional information necessary to confirm the identity of the sexual predator, including a set of fingerprints.

(g)1. Each time a sexual predator's *driver driver's* license or identification card is subject to renewal, and, without regard to the status of the predator's *driver driver's* license or identification card, within 48 hours after any change of the predator's residence or change in the predator's name by reason of marriage or other legal process, the predator shall report in person to a *driver driver's* license office and ~~is shall~~ ~~be~~ subject to the requirements specified in paragraph (f). The Department of Highway Safety and Motor Vehicles shall forward to the department and to the Department of Corrections all photographs and information provided by sexual predators. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles ~~may is authorized to~~ release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual predators as provided in this section. *A sexual predator who is unable to secure or update a driver license or identification card with the Department of Highway Safety and Motor Vehicles as provided in paragraph (f) and this paragraph shall also report any change of the predator's residence or change in the predator's name by reason of marriage or other legal process within 48 hours after the change to the sheriff's office in the county where the predator resides or is located and provide confirmation that he or she reported such information to the Department of Highway Safety and Motor Vehicles.*

2.a. A sexual predator who vacates a permanent, temporary, or transient residence and fails to establish or maintain another permanent, temporary, or transient residence shall, within 48 hours after vacating the permanent, temporary, or transient residence, report in person to the sheriff's office of the county in which he or she is located. The sexual predator shall specify the date upon which he or she intends to or did vacate such residence. The sexual predator ~~shall must~~ provide or update all of the registration information required under paragraph (a). The sexual predator ~~shall must~~ provide an address for the residence or other place that he or she is or will be located during the time in which he or she fails to establish or maintain a permanent or temporary residence.

b. *A sexual predator shall report in person at the sheriff's office in the county in which he or she is located within 48 hours after establishing a transient residence and thereafter must report in person every 30 days to the sheriff's office in the county in which he or she is located while maintaining a transient residence. The sexual predator must provide the addresses and locations where he or she maintains a transient residence. Each sheriff's office shall establish procedures for reporting transient residence information and provide notice to transient registrants to report transient residence information as required in this sub-subparagraph. Reporting to the sheriff's office as required by this sub-subparagraph does not exempt registrants from any reregistration requirement. The sheriff may coordinate and enter into agreements with police departments and other governmental entities to facilitate additional reporting sites for transient residence registration required in this sub-subparagraph. The sheriff's office shall, within 2 business days, electronically submit and update all information provided by the sexual predator to the department.*

3. A sexual predator who remains at a permanent, temporary, or transient residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the predator indicated he or she would or did vacate such residence, report in person to the sheriff's office to which he or she reported pursuant to subparagraph 2. for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required under subparagraph 2. but fails to make a report as required under this subparagraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. *The failure of a sexual predator who maintains a transient residence to report in person to the sheriff's office every 30 days as required by sub-subparagraph (g)2.b. is punishable as provided in subsection (10).*

5.4. A sexual predator ~~shall must~~ register ~~all any~~ electronic mail addresses and Internet identifiers ~~address or instant message name~~ with the department ~~before prior to~~ using such electronic mail addresses and

Internet identifiers address or instant message name on or after October 1, 2007. The department shall establish an online system through which sexual predators may securely access and update all electronic mail address and *Internet identifier instant message name* information.

(h) The department ~~shall~~ ~~must~~ notify the sheriff and the state attorney of the county and, if applicable, the police chief of the municipality, where the sexual predator maintains a residence.

(i) A sexual predator who intends to establish a permanent, temporary, or transient residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction *or within 21 days before his or her planned departure date if the intended residence of 5 days or more is outside of the United States.* The sexual predator ~~shall~~ ~~must~~ provide to the sheriff the address, municipality, county, ~~and~~ state, ~~and~~ country of intended residence. The sheriff shall promptly provide to the department the information received from the sexual predator. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state, ~~or~~ jurisdiction, *or* country of residence of the sexual predator's intended residence. The failure of a sexual predator to provide his or her intended place of residence is punishable as provided in subsection (10).

(j) A sexual predator who indicates his or her intent to establish a permanent, temporary, or transient residence in another state, ~~a~~ ~~or~~ jurisdiction other than the State of Florida, *or another country* and later decides to remain in this state shall, within 48 hours after the date upon which the sexual predator indicated he or she would leave this state, report in person to the sheriff to which the sexual predator reported the intended change of residence, and report his or her intent to remain in this state. If the sheriff is notified by the sexual predator that he or she intends to remain in this state, the sheriff shall promptly report this information to the department. A sexual predator who reports his or her intent to establish a permanent, temporary, or transient residence in another state, ~~a~~ ~~or~~ jurisdiction *other than the State of Florida, or another country,* but who remains in this state without reporting to the sheriff in the manner required by this paragraph, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(k)1. The department is responsible for the online maintenance of current information regarding each registered sexual predator. The department ~~shall~~ ~~must~~ maintain hotline access for state, local, and federal law enforcement agencies to obtain instantaneous locator file and offender characteristics information on all released registered sexual predators for purposes of monitoring, tracking, and prosecution. The photograph, *palm prints*, and fingerprints do not have to be stored in a computerized format.

2. The department's sexual predator registration list, containing the information described in subparagraph (a)1., is a public record. The department ~~may~~ ~~is authorized to~~ disseminate this public information by any means deemed appropriate, including operating a toll-free telephone number for this purpose. When the department provides information regarding a registered sexual predator to the public, department personnel ~~shall~~ ~~must~~ advise the person making the inquiry that positive identification of a person believed to be a sexual predator cannot be established unless a fingerprint comparison is made, and that it is illegal to use public information regarding a registered sexual predator to facilitate the commission of a crime.

3. The department shall adopt guidelines as necessary regarding the registration of sexual predators and the dissemination of information regarding sexual predators as required by this section.

(l) A sexual predator ~~shall~~ ~~must~~ maintain registration with the department for the duration of his or her life, unless the sexual predator has received a full pardon or has had a conviction set aside in a post-conviction proceeding for any offense that met the criteria for the sexual predator designation.

(8) VERIFICATION.—The department and the Department of Corrections shall implement a system for verifying the addresses of sexual

predators. The system must be consistent with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state. The Department of Corrections shall verify the addresses of sexual predators who are not incarcerated but who reside in the community under the supervision of the Department of Corrections and shall report to the department any failure by a sexual predator to comply with registration requirements. County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual predators who are not under the care, custody, control, or supervision of the Department of Corrections, *and may verify the addresses of sexual predators who are under the care, custody, control, or supervision of the Department of Corrections.* Local law enforcement agencies shall report to the department any failure by a sexual predator to comply with registration requirements.

(a) A sexual predator ~~shall~~ ~~must~~ report in person each year during the month of the sexual predator's birthday and during every third month thereafter to the sheriff's office in the county in which he or she resides or is otherwise located to reregister. The sheriff's office may determine the appropriate times and days for reporting by the sexual predator, which ~~must~~ ~~shall~~ be consistent with the reporting requirements of this paragraph. Reregistration ~~must~~ ~~shall~~ include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; *tattoos or other identifying marks*; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; ~~all any~~ electronic mail addresses or *Internet identifiers address and any instant message name* required to be provided pursuant to subparagraph (6)(g)5. ~~(6)(g)4.~~ ~~all~~ home telephone numbers and ~~number and any~~ cellular telephone numbers ~~number~~; date and place of any employment; ~~the~~ vehicle make, model, color, *vehicle identification number (VIN)*, and license tag number *of all vehicles owned*; fingerprints; *palm prints*; and photograph. A post office box ~~may~~ ~~shall~~ not be provided in lieu of a physical residential address. *The sexual predator shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual predator shall also provide information about any professional licenses he or she has.*

2. If the sexual predator is enrolled, employed, *volunteering*, or carrying on a vocation at an institution of higher education in this state, the sexual predator shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual predator's enrollment, *volunteer*, or employment status.

3. If the sexual predator's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual predator shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual predator's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

(b) The sheriff's office shall, within 2 working days, electronically submit and update all information provided by the sexual predator to the department in a manner prescribed by the department.

(10) PENALTIES.—

(a) Except as otherwise specifically provided, a sexual predator who fails to register; who fails, after registration, to maintain, acquire, or renew a ~~driver~~ ~~driver's~~ license or identification card; who fails to provide required location information, electronic mail address information *before*

use, Internet identifier ~~instant message name~~ information before use, all home telephone numbers ~~number~~ and any cellular telephone numbers ~~number~~, or change-of-name information; who fails to make a required report in connection with vacating a permanent residence; who fails to reregister as required; who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence; who knowingly provides false registration information by act or omission; or who otherwise fails, by act or omission, to comply with the requirements of this section; commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A sexual predator who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the sexual predator, ~~or~~ the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual predator, *in the county where the sexual predator was released from incarceration, or in the county of the intended address of the sexual predator as reported by the predator prior to his or her release from incarceration.* In addition, a sexual predator may be prosecuted for any such act or omission in the county in which he or she was designated a sexual predator.

Section 3. Section 775.25, Florida Statutes, is amended to read:

775.25 Prosecutions for acts or omissions.—A sexual predator or sexual offender who commits any act or omission in violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s. 944.607, or former s. 947.177 may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the sexual predator or sexual offender, ~~or~~ the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual predator or sexual offender, *in the county where the sexual predator or sexual offender was released from incarceration, or in the county of the intended address of the sexual predator or sexual offender as reported by the predator or offender prior to his or her release from incarceration.* In addition, a sexual predator may be prosecuted for any such act or omission in the county in which he or she was designated a sexual predator.

Section 4. Subsection (1) of section 943.043, Florida Statutes, is amended to read:

943.043 Toll-free telephone number; Internet notification; sexual predator and sexual offender information.—

(1) The department may notify the public through the Internet of any information regarding sexual predators and sexual offenders which is not confidential and exempt from public disclosure under s. 119.07(1) and s. 24(a), Art. I of the State Constitution. *The department shall determine what information shall be made available to the public through the Internet. However, the department may not display on or disseminate through the Internet public registry maintained by the department any information regarding a vehicle that is owned by a person who is not required to register as a sexual predator or sexual offender.*

Section 5. Paragraphs (a) and (g) of subsection (1), subsections (2), (4), (6), (7), and (8), paragraph (b) of subsection (9), subsection (11), and paragraphs (b) and (c) of subsection (14) of section 943.0435, Florida Statutes, are amended, and paragraph (h) is added to subsection (1) of that section, to read:

943.0435 Sexual offenders required to register with the department; penalty.—

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

(a)1. “Sexual offender” means a person who meets the criteria in sub-subparagraph a., sub-subparagraph b., sub-subparagraph c., or sub-subparagraph d., as follows:

a.(I) Has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c),

where the victim is a minor and the defendant is not the victim’s parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-paragraph; and

(II) Has been released on or after October 1, 1997, from the sanction imposed for any conviction of an offense described in sub-sub-sub-paragraph (I). For purposes of sub-sub-subparagraph (I), a sanction imposed in this state or in any other jurisdiction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility;

b. Establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court of this state but who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria for registration as a sexual offender;

c. Establishes or maintains a residence in this state who is in the custody or control of, or under the supervision of, any other state or jurisdiction as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes or similar offense in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim’s parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-paragraph; or

d. On or after July 1, 2007, has been adjudicated delinquent for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction when the juvenile was 14 years of age or older at the time of the offense:

(I) Section 794.011, excluding s. 794.011(10);

(II) Section 800.04(4)(b) where the victim is under 12 years of age or where the court finds sexual activity by the use of force or coercion;

(III) Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals; or

(IV) Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals.

2. For all qualifying offenses listed in sub-subparagraph (1)(a)1.d., the court shall make a written finding of the age of the offender at the time of the offense.

For each violation of a qualifying offense listed in this subsection, *except for a violation of s. 794.011*, the court shall make a written finding of the age of the victim at the time of the offense. For a violation of s. 800.04(4), the court shall *also additionally* make a written finding indicating *whether that the offense involved did or did not involve* sexual activity and indicating *whether that the offense involved did or did not involve* force or coercion. For a violation of s. 800.04(5), the court shall *also additionally* make a written finding that the offense did or did not involve unclothed genitals or genital area and that the offense did or did not involve the use of force or coercion.

(g) ~~“Internet identifier Instant message name” has the same meaning as provided in s. 775.21 means an identifier that allows a person to communicate in real time with another person using the Internet.~~

(h) “Vehicles owned” has the same meaning as provided in s. 775.21.

(2) A sexual offender shall:

(a) Report in person at the sheriff’s office:

1. In the county in which the offender establishes or maintains a permanent, temporary, or transient residence within 48 hours after:

a. Establishing permanent, temporary, or transient residence in this state; or

b. Being released from the custody, control, or supervision of the Department of Corrections or from the custody of a private correctional facility; or

2. In the county where he or she was convicted within 48 hours after being convicted for a qualifying offense for registration under this section if the offender is not in the custody or control of, or under the supervision of, the Department of Corrections, or is not in the custody of a private correctional facility.

Any change in the information required to be provided pursuant to paragraph (b), including, but not limited to, any change in the sexual offender’s permanent, temporary, or transient residence, name, ~~any~~ electronic mail addresses, or Internet identifiers ~~address and any instant message name~~ required to be provided pursuant to paragraph (4)(e) ~~(4)(d)~~, after the sexual offender reports in person at the sheriff’s office, ~~must shall~~ be accomplished in the manner provided in subsections (4), (7), and (8).

(b) Provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; fingerprints; *palm prints*; photograph; occupation and place of employment; address of permanent or legal residence or address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state, address, location or description, and dates of any current or known future temporary residence within the state or out of state; ~~the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; all home telephone numbers number and any cellular telephone numbers number; all any~~ electronic mail addresses ~~address~~ and all Internet identifiers ~~any instant message name~~ required to be provided pursuant to paragraph (4)(e) ~~(4)(d)~~; date and place of each conviction; and a brief description of the crime or crimes committed by the offender. A post office box ~~may shall~~ not be provided in lieu of a physical residential address. *The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual offender shall also provide information about any professional licenses he or she has.*

1. If the sexual offender’s place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide to the department through the sheriff’s office written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender’s place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide to the department written notice of the hull identification number; the manufacturer’s serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

2. If the sexual offender is enrolled, employed, *volunteering*, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department through the sheriff’s office the name, address, and county of each institution, including each campus attended, and the sexual offender’s enrollment, *volunteer*, or

employment status. Each change in enrollment, *volunteer*, or employment status ~~must shall~~ be reported in person at the sheriff’s office, within 48 hours after any change in status. The sheriff shall promptly notify each institution of the sexual offender’s presence and any change in the sexual offender’s enrollment, *volunteer*, or employment status.

3. *A sexual offender shall report in person to the sheriff’s office within 48 hours after any change in vehicles owned to report those vehicle information changes.*

(c) *Provide any other information determined necessary by the department, including criminal and corrections records; nonprivileged personnel and treatment records; and evidentiary genetic markers, when available.*

When a sexual offender reports at the sheriff’s office, the sheriff shall take a photograph, ~~and~~ a set of fingerprints, *and palm prints* of the offender and forward the photographs, *palm prints*, and fingerprints to the department, along with the information provided by the sexual offender. The sheriff shall promptly provide to the department the information received from the sexual offender.

(4)(a) Each time a sexual offender’s ~~driver driver’s~~ license or identification card is subject to renewal, and, without regard to the status of the offender’s ~~driver driver’s~~ license or identification card, within 48 hours after any change in the offender’s permanent, temporary, or transient residence or change in the offender’s name by reason of marriage or other legal process, the offender shall report in person to a ~~driver driver’s~~ license office, and ~~is shall~~ be subject to the requirements specified in subsection (3). The Department of Highway Safety and Motor Vehicles shall forward to the department all photographs and information provided by sexual offenders. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles ~~may is authorized to~~ release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual offenders as provided in this section and ss. 943.043 and 944.606. *A sexual offender who is unable to secure or update a driver license or identification card with the Department of Highway Safety and Motor Vehicles as provided in subsection (3) and this subsection shall also report any change in the sexual offender’s permanent, temporary, or transient residence or change in the offender’s name by reason of marriage or other legal process within 48 hours after the change to the sheriff’s office in the county where the offender resides or is located and provide confirmation that he or she reported such information to the Department of Highway Safety and Motor Vehicles.*

(b)1. A sexual offender who vacates a permanent, temporary, or transient residence and fails to establish or maintain another permanent, temporary, or transient residence shall, within 48 hours after vacating the permanent, temporary, or transient residence, report in person to the sheriff’s office of the county in which he or she is located. The sexual offender shall specify the date upon which he or she intends to or did vacate such residence. The sexual offender must provide or update all of the registration information required under paragraph (2)(b). The sexual offender must provide an address for the residence or other place that he or she is or will be located during the time in which he or she fails to establish or maintain a permanent or temporary residence.

2. *A sexual offender shall report in person at the sheriff’s office in the county in which he or she is located within 48 hours after establishing a transient residence and thereafter must report in person every 30 days to the sheriff’s office in the county in which he or she is located while maintaining a transient residence. The sexual offender must provide the addresses and locations where he or she maintains a transient residence. Each sheriff’s office shall establish procedures for reporting transient residence information and provide notice to transient registrants to report transient residence information as required in this subparagraph. Reporting to the sheriff’s office as required by this subparagraph does not exempt registrants from any reregistration requirement. The sheriff may coordinate and enter into agreements with police departments and other governmental entities to facilitate additional reporting sites for transient residence registration required in this subparagraph. The sheriff’s office shall, within 2 business days, electronically submit and update all information provided by the sexual offender to the department.*

(c) A sexual offender who remains at a permanent, temporary, or transient residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the offender indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported pursuant to paragraph (b) for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required under paragraph (b) but fails to make a report as required under this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) *The failure of a sexual offender who maintains a transient residence to report in person to the sheriff's office every 30 days as required in subparagraph (b)2. is punishable as provided in subsection (9).*

(e)(d) A sexual offender shall ~~must~~ register all ~~any~~ electronic mail addresses and Internet identifiers ~~address or instant message name~~ with the department before using such electronic mail ~~addresses and Internet identifiers address or instant message name~~. The department shall establish an online system through which sexual offenders may securely access and update all electronic mail address and ~~Internet identifier instant message name~~ information.

(6) County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual offenders who are not under the care, custody, control, or supervision of the Department of Corrections, *and may verify the addresses of sexual offenders who are under the care, custody, control, or supervision of the Department of Corrections*, in a manner that is consistent with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state. Local law enforcement agencies shall report to the department any failure by a sexual offender to comply with registration requirements.

(7) A sexual offender who intends to establish a permanent, temporary, or transient residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction *or within 21 days before his or her planned departure date if the intended residence of 5 days or more is outside of the United States*. The notification must include the address, municipality, county, ~~and~~ state, *and country* of intended residence. The sheriff shall promptly provide to the department the information received from the sexual offender. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state, ~~or~~ jurisdiction, *or country* of residence of the sexual offender's intended residence. The failure of a sexual offender to provide his or her intended place of residence is punishable as provided in subsection (9).

(8) A sexual offender who indicates his or her intent to establish a permanent, temporary, or transient residence in another state, ~~a or~~ jurisdiction other than the State of Florida, *or another country* and later decides to remain in this state shall, within 48 hours after the date upon which the sexual offender indicated he or she would leave this state, report in person to the sheriff to which the sexual offender reported the intended change of permanent, temporary, or transient residence, and report his or her intent to remain in this state. The sheriff shall promptly report this information to the department. A sexual offender who reports his or her intent to establish a permanent, temporary, or transient residence in another state, ~~a or~~ jurisdiction *other than the State of Florida, or another country* but who remains in this state without reporting to the sheriff in the manner required by this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9)(a) A sexual offender who does not comply with the requirements of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A sexual offender who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in

which the act or omission was committed, the county of the last registered address of the sexual offender, ~~or~~ the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual offender, *in the county where the sexual offender was released from incarceration, or in the county of the intended address of the sexual offender as reported by the offender prior to his or her release from incarceration*.

(c) An arrest on charges of failure to register when the offender has been provided and advised of his or her statutory obligations to register under subsection (2), the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register. A sexual offender's failure to immediately register as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A sexual offender charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall immediately register as required by this section. A sexual offender who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the duty to register.

(11) Except as provided in s. 943.04354, a sexual offender ~~shall must~~ maintain registration with the department for the duration of his or her life; unless the sexual offender has received a full pardon or has had a conviction set aside in a postconviction proceeding for any offense that meets the criteria for classifying the person as a sexual offender for purposes of registration. However, a sexual offender:

(a)1. Who has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 25 years and has not been arrested for any felony or misdemeanor offense since release, provided that the sexual offender's requirement to register was not based upon an adult conviction:

- a. For a violation of s. 787.01 or s. 787.02;
- b. For a violation of s. 794.011, excluding s. 794.011(10);
- c. For a violation of s. 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
- d. For a violation of s. 800.04(5)(b);
- e. For a violation of s. 800.04(5)(c)2. ~~s. 800.04(5)e.2.~~ where the court finds the offense involved *the use of force or coercion and unclothed genitals or genital area*;
- f. For any attempt or conspiracy to commit any such offense; ~~or~~
- g. For a violation of similar law of another jurisdiction; *or*
- h. *For a violation of a similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this subparagraph,*

may petition the criminal division of the circuit court of the circuit *where the conviction or adjudication occurred* ~~in which the sexual offender resides~~ for the purpose of removing the requirement for registration as a sexual offender.

2. The court may grant or deny relief if the offender demonstrates to the court that he or she has not been arrested for any crime since release; the requested relief complies with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to the removal of registration requirements for a sexual offender or required to be met as a condition for the receipt of federal funds by the state; and the court is otherwise satisfied that the offender is not a current or potential threat to public safety. The state attorney in the circuit in which the petition is filed must be given notice of the petition at least 3 weeks before the hearing on the matter. The state attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. If the court denies the petition, the court may set a future date at

which the sexual offender may again petition the court for relief, subject to the standards for relief provided in this subsection.

3. The department shall remove an offender from classification as a sexual offender for purposes of registration if the offender provides to the department a certified copy of the court's written findings or order that indicates that the offender is no longer required to comply with the requirements for registration as a sexual offender.

4. *For purposes of this paragraph:*

a. *The registration period of a sexual offender sentenced to a term of incarceration or committed to a residential program begins upon the offender's release from incarceration or commitment for the most recent conviction that required the offender to register.*

b. *A sexual offender's registration period is tolled during any period in which the offender is incarcerated, civilly committed, detained pursuant to chapter 985, or committed to a residential program.*

c. *Except as provided in sub-subparagraph e., if the sexual offender is only sentenced to a term of supervision for the most recent conviction that required the offender to register as a sexual offender or is only subject to a period of supervision for that conviction, the registration period begins when the term or period of supervision for that conviction begins.*

d. *Except as provided in sub-subparagraph e., if the sexual offender is sentenced to a term of supervision that follows a term of incarceration for the most recent conviction that required the offender to register as a sexual offender or is subject to a period of supervision that follows commitment to a residential program for that conviction, the registration period begins when the term or period of supervision for that conviction begins.*

e. *If a sexual offender is sentenced to a term of more than 25 years' supervision for the most recent conviction that required the offender to register as a sexual offender, the sexual offender may not petition for removal of the requirement for registration as a sexual offender until the term of supervision for that conviction is completed.*

(b) As defined in sub-subparagraph (1)(a)1.b. must maintain registration with the department for the duration of his or her life until the person provides the department with an order issued by the court that designated the person as a sexual predator, as a sexually violent predator, or by another sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to the department that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and provided such person no longer meets the criteria for registration as a sexual offender under the laws of this state.

(14)

(b) However, a sexual offender who is required to register as a result of a conviction for:

1. Section 787.01 or s. 787.02 where the victim is a minor and the offender is not the victim's parent or guardian;
2. Section 794.011, excluding s. 794.011(10);
3. Section 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
4. Section 800.04(5)(b);
5. Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals or genital area;
6. Section 800.04(5)(c)2. ~~800.04(5)e.2.~~ where the court finds molestation involving *the use of force or coercion and* unclothed genitals or genital area;
7. Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals or genital area;
8. Any attempt or conspiracy to commit such offense; ~~or~~

9. A violation of a similar law of another jurisdiction; or

10. *A violation of a similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this paragraph,*

must reregister each year during the month of the sexual offender's birthday and every third month thereafter.

(c) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which ~~must shall~~ be consistent with the reporting requirements of this subsection. Reregistration ~~must shall~~ include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; *tattoos or other identifying marks*; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; ~~all any~~ electronic mail addresses or Internet identifiers ~~address and any instant message name~~ required to be provided pursuant to paragraph (4)(e) ~~(4)(d)~~; ~~all home telephone numbers and number and any cellular telephone numbers number~~; date and place of any employment; ~~the vehicle~~ make, model, color, *vehicle identification number (VIN)*, and license tag number of *all vehicles owned*; fingerprints; *palm prints*; and photograph. A post office box may ~~shall~~ not be provided in lieu of a physical residential address. *The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual offender shall also provide information about any professional licenses he or she has.*

2. If the sexual offender is enrolled, *volunteering*, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, *volunteer*, or employment status.

3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.

4. Any sexual offender who fails to report in person as required at the sheriff's office, ~~or~~ who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence, ~~or~~ who fails to report *all* electronic mail addresses *and all Internet identifiers prior to use* ~~or instant message names~~, or who knowingly provides false registration information by act or omission commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 6. Section 943.04354, Florida Statutes, is amended to read:

943.04354 Removal of the requirement to register as a sexual offender or sexual predator in special circumstances.—

(1) For purposes of this section, a person shall be considered for removal of the requirement to register as a sexual offender or sexual predator only if the person:

(a) Was ~~or will be~~ convicted, *regardless of adjudication*, or adjudicated delinquent of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) or of a similar offense in another jurisdiction ~~or the person committed a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which adjudication of guilt was or will be withheld, and if the person does not have any other conviction, regardless of adjudication, or adjudication of delinquency, or withhold of adjudication of guilt~~

for a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) or for a similar offense in another jurisdiction;

(b)1. Was convicted, regardless of adjudication, or adjudicated delinquent of an offense listed in paragraph (a) and is required to register as a sexual offender or sexual predator solely on the basis of this conviction or adjudication; or ~~violation; and~~

2. Was convicted, regardless of adjudication, or adjudicated delinquent of an offense in another jurisdiction which is similar to an offense listed in paragraph (a) and no longer meets the criteria for registration as a sexual offender or sexual predator under the laws of the jurisdiction in which the similar offense occurred; and

(c) Is not more than 4 years older than the victim of this violation who was 13 ~~14~~ years of age or older but younger ~~not more~~ than 18 ~~17~~ years of age at the time the person committed this violation.

(2) If a person meets the criteria in subsection (1) ~~and the violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) was committed on or after July 1, 2007,~~ the person may move the criminal division of the circuit court of the circuit where the conviction or adjudication for the qualifying offense occurred ~~court that will sentence or dispose of this violation~~ to remove the requirement that the person register as a sexual offender or sexual predator. The person must allege in the motion that he or she meets the criteria in subsection (1) and that removal of the registration requirement will not conflict with federal law. A person convicted or adjudicated delinquent of an offense in another jurisdiction which is similar to an offense listed in paragraph (1)(a) must provide the court written confirmation that he or she is not required to register in the jurisdiction in which the conviction or adjudication occurred. The state attorney and the department must be given notice of the motion at least 21 days before the date of sentencing, ~~or disposition of the this violation,~~ or hearing on the motion and may present evidence in opposition to the requested relief or may otherwise demonstrate why the motion should be denied. At sentencing, ~~or disposition of the this violation, or hearing on the motion,~~ the court shall rule on ~~the this~~ motion, and, if the court determines the person meets the criteria in subsection (1) and the removal of the registration requirement will not conflict with federal law, it may grant the motion and order the removal of the registration requirement. ~~The court shall instruct the person to provide the department a certified copy of the order granting relief.~~ If the court denies the motion, the person is not authorized under this section to file another motion ~~petition~~ for removal of the registration requirement.

~~(3)(a) This subsection applies to a person who:~~

~~1. Is not a person described in subsection (2) because the violation of s. 794.011, s. 800.04, or s. 827.071 was not committed on or after July 1, 2007;~~

~~2. Is subject to registration as a sexual offender or sexual predator for a violation of s. 794.011, s. 800.04, or s. 827.071; and~~

~~3. Meets the criteria in subsection (1).~~

~~(b) A person may petition the court in which the sentence or disposition for the violation of s. 794.011, s. 800.04, or s. 827.071 occurred for removal of the requirement to register as a sexual offender or sexual predator. The person must allege in the petition that he or she meets the criteria in subsection (1) and removal of the registration requirement will not conflict with federal law. The state attorney must be given notice of the petition at least 21 days before the hearing on the petition and may present evidence in opposition to the requested relief or may otherwise demonstrate why the petition should be denied. The court shall rule on the petition and, if the court determines the person meets the criteria in subsection (1) and removal of the registration requirement will not conflict with federal law, it may grant the petition and order the removal of the registration requirement. If the court denies the petition, the person is not authorized under this section to file any further petition for removal of the registration requirement.~~

(3)(4) If a person provides to the Department of Law Enforcement a certified copy of the court's order removing the requirement that the person register as a sexual offender or sexual predator for the violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in another jurisdiction, the registration requirement will not apply to the person and the department shall remove all information about the per-

son from the public registry of sexual offenders and sexual predators maintained by the department. However, the removal of this information from the public registry does not mean that the public is denied access to information about the person's criminal history or record that is otherwise available as a public record.

Section 7. Subsections (2) and (3) of section 943.0437, Florida Statutes, are amended to read:

943.0437 Commercial social networking websites.—

(2) The department may provide information relating to electronic mail addresses and Internet identifiers, as defined in s. 775.21, ~~instant message names~~ maintained as part of the sexual offender registry to commercial social networking websites or third parties designated by commercial social networking websites. The commercial social networking website may use this information for the purpose of comparing registered users and screening potential users of the commercial social networking website against the list of electronic mail addresses and Internet identifiers ~~instant message names~~ provided by the department.

(3) This section ~~does not shall not be construed to~~ impose any civil liability on a commercial social networking website for:

(a) Any action voluntarily taken in good faith to remove or disable any profile of a registered user associated with an electronic mail address or Internet identifier ~~instant message name~~ contained in the sexual offender registry.

(b) Any action taken to restrict access by such registered user to the commercial social networking website.

Section 8. Paragraphs (b) and (d) of subsection (1) and paragraph (a) of subsection (3) of section 944.606, Florida Statutes, are amended to read:

944.606 Sexual offenders; notification upon release.—

(1) As used in this section:

(b) "Sexual offender" means a person who has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this subsection, when the department has received verified information regarding such conviction; an offender's computerized criminal history record is not, in and of itself, verified information.

(d) "Internet identifier" has the same meaning as provided in s. 775.21 ~~"Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.~~

(3)(a) The department ~~shall must~~ provide information regarding any sexual offender who is being released after serving a period of incarceration for any offense, as follows:

1. The department ~~shall must~~ provide: the sexual offender's name, any change in the offender's name by reason of marriage or other legal process, and any alias, if known; the correctional facility from which the sexual offender is released; the sexual offender's social security number, race, sex, date of birth, height, weight, and hair and eye color; *tattoos or other identifying marks*; address of any planned permanent residence or temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any known future temporary residence within the state or out of state; date and county of sentence and each crime for which the offender was sentenced; a copy of the offender's fingerprints, *palm prints*, and a digitized photograph taken within 60 days before release; the date of release of the sexual offender; ~~all any~~ electronic mail ~~addresses address~~ and ~~all Internet identifiers any instant message name~~ required to be provided pursuant to s. 943.0435(4)(e) ~~943.0435(4)(d); all~~

~~and home telephone numbers number and any cellular telephone numbers; information about any professional licenses the offender has, if known; and passport information, if he or she has a passport, and, if he or she is an alien, information about documents establishing his or her immigration status number.~~ The department shall notify the Department of Law Enforcement if the sexual offender escapes, absconds, or dies. If the sexual offender is in the custody of a private correctional facility, the facility shall take the digitized photograph of the sexual offender within 60 days before the sexual offender's release and provide this photograph to the Department of Corrections and also place it in the sexual offender's file. If the sexual offender is in the custody of a local jail, the custodian of the local jail shall register the offender within 3 business days after intake of the offender for any reason and upon release, and shall notify the Department of Law Enforcement of the sexual offender's release and provide to the Department of Law Enforcement the information specified in this paragraph and any information specified in subparagraph 2. that the Department of Law Enforcement requests.

2. The department may provide any other information deemed necessary, including criminal and corrections records, nonprivileged personnel and treatment records, when available.

Section 9. Present paragraphs (a) and (f) of subsection (1), subsection (4), and paragraphs (b) and (c) of subsection (13) of section 944.607, Florida Statutes, are amended, paragraphs (b) through (e) of subsection (1) are redesignated as paragraphs (c) through (f), respectively, and a new paragraph (b) is added to that subsection, to read:

944.607 Notification to Department of Law Enforcement of information on sexual offenders.—

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

(a) "Sexual offender" means a person who is in the custody or control of, or under the supervision of, the department or is in the custody of a private correctional facility:

1. On or after October 1, 1997, as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this paragraph; or

2. Who establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court of this state but who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard as to whether the person otherwise meets the criteria for registration as a sexual offender.

(b) "Vehicles owned" has the same meaning as provided in s. 775.21.

(g)(~~f~~) "Internet identifier" has the same meaning as provided in s. 775.21. ~~"Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.~~

(4) A sexual offender, as described in this section, who is under the supervision of the Department of Corrections but is not incarcerated ~~shall~~ register with the Department of Corrections within 3 business days after sentencing for a registrable offense and otherwise provide information as required by this subsection.

(a) The sexual offender shall provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; ~~all any~~ electronic mail addresses ~~address~~ and Internet identifiers ~~any instant message name~~ required to be provided pursuant to s. 943.0435(4)(e) ~~943.0435(4)(d)~~; all home telephone

numbers and cellular telephone numbers; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; permanent or legal residence and address of temporary residence within the state or out of state while the sexual offender is under supervision in this state, including any rural route address or post office box; if no permanent or temporary address, any transient residence within the state; and address, location or description, and dates of any current or known future temporary residence within the state or out of state. *The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual offender shall also provide information about any professional licenses he or she has.* The Department of Corrections shall verify the address of each sexual offender in the manner described in ss. 775.21 and 943.0435. The department shall report to the Department of Law Enforcement any failure by a sexual predator or sexual offender to comply with registration requirements.

(b) If the sexual offender is enrolled, employed, *volunteering*, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall provide the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, *volunteer*, or employment status. Each change in enrollment, *volunteer*, or employment status ~~shall~~ be reported to the department within 48 hours after the change in status. The Department of Corrections shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment, *volunteer*, or employment status.

(c) *A sexual offender shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.*

(13)

(b) However, a sexual offender who is required to register as a result of a conviction for:

1. Section 787.01 or s. 787.02 where the victim is a minor and the offender is not the victim's parent or guardian;

2. Section 794.011, excluding s. 794.011(10);

3. Section 800.04(4)(b) where the victim is under 12 years of age or where the court finds sexual activity by the use of force or coercion;

4. Section 800.04(5)(b);

5. Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals or genital area;

6. Section 800.04(5)(c)2. ~~800.04(5)c.2.~~ where the court finds molestation involving *use of force or coercion and* unclothed genitals or genital area;

7. Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals or genital area;

8. Any attempt or conspiracy to commit such offense; ~~or~~

9. A violation of a similar law of another jurisdiction; ~~or~~

10. A violation of a similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this paragraph,

must reregister each year during the month of the sexual offender's birthday and every third month thereafter.

(c) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which ~~must~~ *shall* be consistent with the reporting requirements of this subsection. Reregistration ~~must~~ *shall* include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; *tattoos or other identifying marks*; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any tran-

sient residence; address, location or description, and dates of any current or known future temporary residence within the state or out of state; ~~all any~~ electronic mail addresses and Internet identifiers address and ~~any instant message name~~ required to be provided pursuant to s. 943.0435(4)(e) ~~943.0435(4)(d)~~; all home telephone numbers and cellular telephone numbers; date and place of any employment; ~~the~~ vehicle make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; fingerprints; palm prints; and photograph. A post office box ~~may shall~~ not be provided in lieu of a physical residential address. *The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual offender shall also provide information about any professional licenses he or she has.*

2. If the sexual offender is enrolled, employed, *volunteering*, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, *volunteer*, or employment status.

3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.

4. Any sexual offender who fails to report in person as required at the sheriff's office, ~~or~~ who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence, ~~or~~ who fails to report all electronic mail addresses or Internet identifiers prior to use ~~or instant message names~~, or who knowingly provides false registration information by act or omission commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 10. Paragraph (b) of subsection (1) of section 985.481, Florida Statutes, is redesignated as paragraph (c), new paragraphs (b) and (d) are added to that subsection, and paragraph (a) of subsection (3) of that section is amended, to read:

985.481 Sexual offenders adjudicated delinquent; notification upon release.—

(1) As used in this section:

(a) "Convicted" has the same meaning as provided in s. 943.0435.

(b) "Internet identifier" has the same meaning as provided in s. 775.21.

(c)(~~b~~) "Sexual offender" means a person who has been adjudicated delinquent as provided in s. 943.0435(1)(a)1.d.

(d) "Vehicles owned" has the same meaning as provided in s. 775.21.

(3)(a) The department ~~shall must~~ provide information regarding any sexual offender who is being released after serving a period of residential commitment under the department for any offense, as follows:

1. The department ~~shall must~~ provide the sexual offender's name, any change in the offender's name by reason of marriage or other legal process, and any alias, if known; the correctional facility from which the sexual offender is released; the sexual offender's social security number, race, sex, date of birth, height, weight, and hair and eye color; *tattoos or other identifying marks; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned*; address of any planned permanent residence or temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any known future temporary residence within the state or out of state; date and county of disposition and each crime for which there was a disposition; a copy of

the offender's fingerprints, *palm prints*, and a digitized photograph taken within 60 days before release; the date of release of the sexual offender; ~~all and~~ home telephone numbers ~~number~~ and ~~any~~ cellular telephone numbers; ~~all Internet identifiers; information about any professional licenses the offender has, if known; and passport information, if he or she has a passport, and, if he or she is an alien, information about documents establishing his or her immigration status number.~~ The department shall notify the Department of Law Enforcement if the sexual offender escapes, absconds, or dies. If the sexual offender is in the custody of a private correctional facility, the facility shall take the digitized photograph of the sexual offender within 60 days before the sexual offender's release and also place it in the sexual offender's file. If the sexual offender is in the custody of a local jail, the custodian of the local jail shall register the offender within 3 business days after intake of the offender for any reason and upon release, and shall notify the Department of Law Enforcement of the sexual offender's release and provide to the Department of Law Enforcement the information specified in this subparagraph and any information specified in subparagraph 2. which the Department of Law Enforcement requests.

2. The department may provide any other information considered necessary, including criminal and delinquency records, when available.

Section 11. Paragraph (d) of subsection (1) of section 985.4815, Florida Statutes, is redesignated as paragraph (e), new paragraphs (d) and (f) are added to that subsection, and subsection (4) and paragraph (b) of subsection (13) of that section are amended, to read:

985.4815 Notification to Department of Law Enforcement of information on juvenile sexual offenders.—

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

(a) "Change in enrollment or employment status" means the commencement or termination of enrollment or employment or a change in location of enrollment or employment.

(b) "Conviction" has the same meaning as provided in s. 943.0435.

(c) "Institution of higher education" means a career center, community college, college, state university, or independent postsecondary institution.

(d) "Internet identifier" has the same meaning as provided in s. 775.21.

(e)(~~d~~) "Sexual offender" means a person who is in the care or custody or under the jurisdiction or supervision of the department or is in the custody of a private correctional facility and who:

1. Has been adjudicated delinquent as provided in s. 943.0435(1)(a)1.d.; or

2. Establishes or maintains a residence in this state and has not been designated as a sexual predator by a court of this state but has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria for registration as a sexual offender.

(f) "Vehicles owned" has the same meaning as provided in s. 775.21.

(4) A sexual offender, as described in this section, who is under the supervision of the department but who is not committed ~~shall must~~ register with the department within 3 business days after adjudication and disposition for a registrable offense and otherwise provide information as required by this subsection.

(a) The sexual offender shall provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; *the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned*; permanent or legal residence and address of temporary residence within the state or out of state while the sexual offender is in the care or custody or under the jurisdiction or supervision of the department in this state, including any rural route address or post office box; if no permanent or temporary address, any transient residence; address, location or de-

scription, and dates of any current or known future temporary residence within the state or out of state; *all home telephone and cellular telephone numbers; all Internet identifiers*; and the name and address of each school attended. *The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The offender shall also provide information about any professional licenses he or she has.* The department shall verify the address of each sexual offender and shall report to the Department of Law Enforcement any failure by a sexual offender to comply with registration requirements.

(b) If the sexual offender is enrolled, employed, *volunteering*, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall provide the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, *volunteer*, or employment status. Each change in enrollment, *volunteer*, or employment status *must shall* be reported to the department within 48 hours after the change in status. The department shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment, *volunteer*, or employment status.

(c) *A sexual offender shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.*

(13)

(b) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which *must shall* be consistent with the reporting requirements of this subsection. Reregistration *must shall* include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; *tattoos or other identifying marks; finger-prints; palm prints*; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence; address, location or description, and dates of any current or known future temporary residence within the state or out of state; *passport information, if he or she has a passport, and, if he or she is an alien, information about documents establishing his or her immigration status; all home telephone numbers and cellular*

And the title is amended as follows:

Remove lines 40-72 and insert: specified time; authorizing county and local law enforcement agencies to verify the addresses of registrants under the care, custody, control, or supervision of the Department of Corrections; providing criminal penalties for knowingly providing false registration information by act or omission; authorizing additional venues for prosecution of registration violations; conforming provisions to changes made by the act; amending s. 775.25, F.S.; authorizing additional venues for prosecution of registration violations; amending s. 943.043, F.S.; prohibiting display or dissemination of certain vehicle information on the Internet public registry of sexual predators and offenders; amending s. 943.0435, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; revising definitions; requiring disclosure of additional sexual offender registration information; requiring reporting of transient residence information within specified time periods; requiring sheriffs to establish procedures for reporting transient residence information; authorizing sheriffs to enter into agreements for reporting transient residence information; providing a criminal penalty for failure to report transient residence information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period report a change in certain information to the local sheriff's office within a specified period of time of such change and confirm that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; authorizing county and local law enforcement agencies to verify the addresses of registrants under the care, custody, control, or

On motion by Senator Evers, the Senate concurred in **House Amendment 1 (634967)**.

CS for CS for SB 528 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Brandes—

CS for CS for CS for SB 542—A bill to be entitled An act relating to flood insurance; amending s. 627.062, F.S.; adding projected flood losses to the factors that must be considered by the Office of Insurance Regulation in reviewing certain rate filings; amending s. 627.0628, F.S.; requiring the commission to adopt standards and guidelines relating to flood loss by a certain date; creating s. 627.715, F.S.; authorizing insurers to offer flood insurance on residential property in this state; requiring the insurer to also offer coverage equivalent to that provided by the National Flood Insurance Program (NFIP); defining the term "flood"; establishing the minimum coverage requirements for a flood insurance policy; providing coverage limitations that an insurer may include in such policies; requiring that certain limitations and notices be noted on the policy declarations or face page; requiring the insurer to obtain a signed acknowledgement from the applicant which provides certain specified information; providing the insurer with rate options; authorizing the office to conduct an examination with respect to any rate change; authorizing an insurer to export a contract or endorsement to a surplus lines insurer without meeting certain requirements; requiring prior notice for cancellation or nonrenewal of a policy; providing additional requirements with respect to notifying the Office of Insurance Regulation before writing flood insurance, filing a plan of operation with the office, using forms that have been approved by the office, and filing reinsurance contracts before a certain date; prohibiting Citizens Property Insurance Corporation from writing flood insurance; prohibiting the Florida Hurricane Catastrophe Fund from reimbursing losses caused by flooding; providing certain exemptions; preempting any conflicts with other provisions of the Florida Insurance Code; providing that the Commissioner of the Office of Insurance Regulation may provide certification that a condition qualifies for flood insurance or disaster assistance; providing that such certification is not subject to ch. 120, F.S.; providing an effective date.

—was read the second time by title.

Senator Ring moved the following amendment which was adopted:

Amendment 1 (138770)—Delete lines 217-223 and insert: *the covered property up to replacement cost;*

(e) *As to the peril of flood, does not cover:*

1. *Additional living expenses;*
2. *Personal property or contents; or*
3. *Law and ordinance coverage. However, an insurer must offer law and ordinance coverage that is comparable to the law and ordinance coverage offered in the standard NFIP policy;*

(f) Provides coverage to an insured that is in addition to the minimum coverage required by this section; or

(g) Provides coverage designed to supplement an insured's coverage with the NFIP or coverage under a policy from an insurer that meets the requirements of this part.

Pursuant to Rule 4.19, **CS for CS for CS for SB 542** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 846** and **CS for SB 928** was deferred.

On motion by Senator Ring—

SB 1648—A bill to be entitled An act relating to public records and meetings; amending s. 119.01, F.S.; revising the general state policy on public records; requiring certain information to be open for inspection and copying if public funds are used in payment of dues or membership contributions; providing an exception; amending s. 119.011, F.S.; defining the terms “confidential and exempt” and “exempt”; amending s. 119.07, F.S.; providing that public records requests need not be in writing unless otherwise required by law; requiring the custodian of public records to provide a statutory citation to the requester if a written request is required; restricting the special service charge assessed by an agency in producing records; amending s. 119.0701, F.S.; revising contract requirements between a public agency and a contractor; creating s. 119.0702, F.S.; requiring each agency to provide training on the requirements of ch. 119, F.S.; amending s. 119.12, F.S.; specifying a reasonable cost of enforcement; providing that a party filing an action against certain agencies is not required to serve a copy of a pleading claiming attorney fees on the Department of Financial Services; requiring an agency to provide notice of such pleading to the department; authorizing the department to join the agency in defense of such suit; amending s. 286.011, F.S.; providing that a party filing an enforcement action against a board or commission of a state agency is not required to serve a copy of a pleading claiming attorney fees on the Department of Financial Services; requiring the board or commission to provide notice of such pleading to the department; authorizing the department to join the board or commission in defense of such suit; amending ss. 257.35, 383.402, 497.140, 627.311, 627.351, 943.031, and 943.0313; conforming cross-references to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1648** was placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz de la Portilla—

CS for CS for SB 102—A bill to be entitled An act relating to drivers leaving the scene of a crash; creating the “Aaron Cohen Life Protection Act”; amending s. 316.027, F.S.; redefining the term “serious bodily injury” and defining the term “vulnerable road user”; requiring the driver of a vehicle involved in a crash that results in serious bodily injury to a person to immediately stop the vehicle and remain at the scene of the crash; providing that a person commits a felony of the second degree if he or she fails to stop the vehicle and remain at the scene of the crash until specified requirements are fulfilled; requiring the court to impose a mandatory minimum term of imprisonment under certain circumstances; requiring the revocation of the driver's driver license; requiring the driver to participate in specified programs; providing for ranking of an offense committed if the victim of the offense was a vulnerable road user; authorizing the defendant to move to depart from the mandatory minimum term of imprisonment under certain circumstances; providing requirements and procedures for such departure; amending s. 322.0261, F.S.; requiring the Department of Highway Safety and Motor Vehicles to include in the curriculum of a certain driver improvement course instruction addressing the rights of vulnerable road users; amending s. 322.28, F.S.; requiring the court to revoke for at least 3 years the driver license of a person convicted of leaving the scene of a crash involving

injury, serious bodily injury, or death; reenacting and amending s. 322.34(6), F.S., relating to driving while a driver license is suspended, revoked, canceled, or disqualified, to incorporate the amendment to s. 322.28, F.S., in a reference thereto; amending s. 921.0022, F.S.; revising the offense severity ranking chart; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 102** was placed on the calendar of Bills on Third Reading.

Consideration of **SM 118** was deferred.

On motion by Senator Bullard—

SB 160—A bill to be entitled An act relating to canned or perishable food distributed free of charge; amending s. 768.136, F.S.; revising the definition of the term “donor”; limiting the liability of public schools with respect to canned or perishable food donated to charitable or nonprofit organizations; making grammatical changes; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 160** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for CS for SB 188—A bill to be entitled An act relating to education data privacy; amending s. 1002.22, F.S.; providing for annual notice to K-12 students and parents of rights relating to education records; revising provisions relating to remedy in circuit court with respect to education records and reports of students and parents; creating s. 1002.222, F.S.; providing limitations on the collection of information and the disclosure of confidential and exempt student records; defining the term “biometric information”; providing an exception; authorizing fees; amending s. 1008.386, F.S.; revising provisions relating to the submission of student social security numbers and the assignment of student identification numbers; requiring the Department of Education to establish a process for assigning student identification numbers; amending s. 1011.622, F.S.; conforming provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 188** was placed on the calendar of Bills on Third Reading.

Consideration of **SM 196** was deferred.

On motion by Senator Thompson—

CS for SB 220—A bill to be entitled An act relating to the Florida Civil Rights Act; amending s. 509.092, F.S.; prohibiting discrimination on the basis of pregnancy in public lodging and food service establishments; amending s. 760.01, F.S.; revising the general purpose of the Florida Civil Rights Act of 1992; amending s. 760.05, F.S.; revising the function of the Florida Commission on Human Relations; amending s. 760.07, F.S.; providing civil and administrative remedies for discrimination on the basis of pregnancy; amending s. 760.08, F.S.; prohibiting discrimination on the basis of pregnancy in places of public accommodation; amending s. 760.10, F.S.; prohibiting discrimination with regard to employment benefits; prohibiting employment discrimination on the basis of pregnancy; prohibiting discrimination on the basis of pregnancy by labor organizations, joint labor-management committees, and employment agencies; prohibiting discrimination on the basis of pregnancy in occupational licensing, certification, and membership organizations; providing an exception to unlawful employment practices based on pregnancy; reenacting s. 760.11(1), F.S., relating to administrative and civil remedies for violations of the Florida Civil Rights Act of

1992, to incorporate the amendments made to s. 760.10(5), F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 220** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 230—A bill to be entitled An act relating to the Orlando-Orange County Expressway Authority; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the “Central Florida Expressway System”; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central Florida Expressway Authority; providing for the transfer of governance and control, legal rights and powers, responsibilities, terms, and obligations to the authority; providing conditions for the transfer; revising the composition of the governing body of the authority; providing for appointment of officers of the authority and for the expiration of terms of standing board members; revising quorum and voting requirements; conforming terminology and making technical changes; prohibiting a member or the executive director of the authority from personally representing certain persons or entities for a specified time period; prohibiting a retired or terminated member or executive director of the authority from contracting with a business entity under certain circumstances; providing penalties; requiring authority board members, employees, and consultants to make certain annual disclosures; requiring an ethics officer to review such disclosures; requiring the authority code of ethics to include a conflict of interest process; prohibiting authority employees and consultants from serving on the board during their employment or contract period; requiring the code of ethics to be reviewed and updated at least every 2 years; requiring employees to participate in ongoing ethics education; amending s. 348.754, F.S.; providing that the area served by the authority is within the geopolitical boundaries of Orange, Seminole, Lake, and Osceola Counties; requiring the authority to have prior consent from the Secretary of the Department of Transportation to construct an extension, addition, or improvement to the expressway system in Lake County; extending, to 99 years from 40 years, the term of a lease-purchase agreement; limiting the authority’s authority to enter into a lease-purchase agreement; limiting the use of certain toll-revenues; providing exceptions; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the former Orlando-Orange County Expressway System, title in fee simple to the former system shall be transferred to the state; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, and 348.765, F.S.; conforming terminology and making technical changes; amending s. 348.9953, F.S.; limiting the purpose and powers of the Osceola County Expressway Authority; providing for the termination of the Osceola County Expressway Authority by a specified time period; prohibiting the authority from extending the Poinciana Parkway beyond a specified limit; amending s. 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System; providing for reimbursement after payment of other obligations;

providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the second time by title.

Senator Simmons moved the following amendment:

Amendment 1 (438032)—Delete lines 301-363 and insert:

- (6) *A member or the executive director of the authority may not:*
- (a) *Personally represent another person or entity for compensation before the authority for a period of 2 years following vacation of his or her position.*
 - (b) *After retirement or termination, have an employment or contractual relationship with a business entity other than an agency as defined in s. 112.312, in connection with a contract in which the member or executive director personally and substantially participated in through decision, approval, disapproval, recommendation, rendering of advice, or investigation while he or she was a member or employee of the authority.*
 - (7) *A violation of subsection (6) is punishable in accordance with s. 112.317.*
 - (8) *The authority’s general counsel shall serve as the authority’s ethics officer.*
 - (9) *Authority board members, employees, and consultants who hold positions that may influence authority decisions shall refrain from engaging in any relationship that may adversely affect their judgment in carrying out authority business. To prevent such conflicts of interest and preserve the integrity and transparency of the authority to the public, the following disclosures must be made annually on a disclosure form:*
 - (a) *Any relationship a board member, employee, or consultant has which affords a current or future financial benefit to such board member, employee, or consultant, or to a relative or business associate of such board member, employee, or consultant, and which a reasonable person would conclude has the potential to create a prohibited conflict of interest. As used in this subsection, the term “relative” has the same meaning as in s. 112.312.*
 - (b) *Whether a relative of a board member, employee, or consultant is a registered lobbyist, and if so, the names of the lobbyist’s clients. Such names shall be provided in writing to the ethics officer.*
 - (c) *Any and all interests in real property that a board member, employee, or consultant has, or that a relative, principal, client, or business associate of such board member, employee, or consultant has, if such real property is located within, or within a one-half mile radius of, any actual or prospective authority roadway project. The executive director shall provide a corridor map and a property ownership list reflecting the ownership of all real property within the disclosure area, or an alignment map with a list of associated owners, to all board members, employees, and consultants.*
 - (10) *The disclosure forms required under subsection (9) must be reviewed by the ethics officer or, if a form is filed by the general counsel, by the executive director.*
 - (11) *The conflict of interest process shall be outlined in the authority’s code of ethics.*
 - (12) *Authority employees and consultants are prohibited from serving on the governing body of the authority while employed by or under contract with the authority.*
 - (13) *The code of ethics policy shall be reviewed and updated by the ethics officer and presented for board approval at a minimum of once every 2 years.*
 - (14) *Employees shall be adequately informed and trained on the code of ethics and shall continually participate in ongoing ethics education.*

(15) *The requirements in subsections (6) through (14) are in addition to the requirements that the members and the executive director of the authority are required to follow under chapter 112.*

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 2 (200702) (with title amendment)—Delete lines 301-363 and insert:

- (6) *A member or the executive director of the authority may not:*
- (a) *Personally represent another person or entity for compensation before the authority for a period of 2 years following vacation of his or her position.*
- (b) *After retirement or termination, have an employment or contractual relationship with a business entity other than an agency as defined in s. 112.312, in connection with a contract in which the member or executive director personally and substantially participated in through decision, approval, disapproval, recommendation, rendering of advice, or investigation while he or she was a member or employee of the authority.*
- (7) *The authority's general counsel shall serve as the authority's ethics officer.*
- (8) *Authority board members, employees, and consultants who hold positions that may influence authority decisions shall refrain from engaging in any relationship that may adversely affect their judgment in carrying out authority business. To prevent such conflicts of interest and preserve the integrity and transparency of the authority to the public, the following disclosures must be made annually on a disclosure form:*
- (a) *Any relationship a board member, employee, or consultant has which affords a current or future financial benefit to such board member, employee, or consultant, or to a relative or business associate of such board member, employee, or consultant, and which a reasonable person would conclude has the potential to create a prohibited conflict of interest. As used in this subsection, the term "relative" has the same meaning as in s. 112.312.*
- (b) *Whether a relative of a board member, employee, or consultant is a registered lobbyist, and if so, the names of the lobbyist's clients. Such names shall be provided in writing to the ethics officer.*
- (c) *Any and all interests in real property that a board member, employee, or consultant has, or that a relative, principal, client, or business associate of such board member, employee, or consultant has, if such real property is located within, or within a one-half mile radius of, any actual or prospective authority roadway project. The executive director shall provide a corridor map and a property ownership list reflecting the ownership of all real property within the disclosure area, or an alignment map with a list of associated owners, to all board members, employees, and consultants.*
- (9) *The disclosure forms required under subsection (9) must be reviewed by the ethics officer or, if a form is filed by the general counsel, by the executive director.*
- (10) *The conflict of interest process shall be outlined in the authority's code of ethics.*
- (11) *Authority employees and consultants are prohibited from serving on the governing body of the authority while employed by or under contract with the authority.*
- (12) *The code of ethics policy shall be reviewed and updated by the ethics officer and presented for board approval at a minimum of once every 2 years.*
- (13) *Employees shall be adequately informed and trained on the code of ethics and shall continually participate in ongoing ethics education.*
- (14) *The requirements in subsections (6) through (14) are in addition to the requirements that the members and the executive director of the authority are required to follow under chapter 112.*

(15) *Violations of subsections (6), (8), and (11) are punishable in accordance with s. 112.317.*

And the title is amended as follows:

Delete lines 23-33 and insert: under certain circumstances; requiring authority board members, employees, and consultants to make certain annual disclosures; requiring an ethics officer to review such disclosures; requiring the authority code of ethics to include a conflict of interest process; prohibiting authority employees and consultants from serving on the board during their employment or contract period; requiring the code of ethics to be reviewed and updated at least every 2 years; requiring employees to participate in ongoing ethics education; providing penalties; amending s.

Senator Simmons moved the following amendment which was adopted:

Amendment 3 (413882) (with title amendment)—Delete lines 1144-1330 and insert:

Plan. The authority's expressway system shall be limited to the Poinciana Parkway, as it is described in the Osceola County Expressway Authority May 8, 2012, Master Plan, together with such changes, modifications, or revisions of the project that are deemed desirable and proper. The authority, however, may not extend the Poinciana Parkway beyond the project limits described in the Osceola County Expressway Authority May 8, 2012, Master Plan. In implementing this act, the authority shall institute procedures to encourage the awarding of contracts for professional services and construction to certified minority business enterprises as defined in s. 288.703. The authority shall develop and implement activities to encourage the participation of certified minority business enterprises in the contracting process.

Section 19. Subsections (6) and (7) of section 369.317, Florida Statutes, are amended to read:

369.317 *Wekiva Parkway.*—

(6) ~~The Central Florida Orlando-Orange County~~ Expressway Authority is hereby granted the authority to act as a third-party acquisition agent, pursuant to s. 259.041 on behalf of the Board of Trustees or chapter 373 on behalf of the governing board of the St. Johns River Water Management District, for the acquisition of all necessary lands, property and all interests in property identified herein, including fee simple or less-than-fee simple interests. The lands subject to this authority are identified in paragraph 10.a., State of Florida, Office of the Governor, Executive Order 03-112 of July 1, 2003, and in Recommendation 16 of the Wekiva Basin Area Task Force created by Executive Order 2002-259, such lands otherwise known as Neighborhood Lakes, a 1,587+/-acre parcel located in Orange and Lake Counties within Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East, and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East; Seminole Woods/Swamp, a 5,353+/-acre parcel located in Lake County within Section 37, Township 19 South, Range 28 East; New Garden Coal; a 1,605+/-acre parcel in Lake County within Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28 East; Pine Plantation, a 617+/-acre tract consisting of eight individual parcels within the Apopka City limits. The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, and other land acquisition entities shall participate and cooperate in providing information and support to the third-party acquisition agent. The land acquisition process authorized by this paragraph shall begin no later than December 31, 2004. Acquisition of the properties identified as Neighborhood Lakes, Pine Plantation, and New Garden Coal, or approval as a mitigation bank shall be concluded no later than December 31, 2010. Department of Transportation and ~~Central Florida Orlando-Orange County~~ Expressway Authority funds expended to purchase an interest in those lands identified in this subsection shall be eligible as environmental mitigation for road construction related impacts in the Wekiva Study Area. If any of the lands identified in this subsection are used as environmental mitigation for road-construction-related impacts incurred by the Department of Transportation or ~~Central Florida Orlando-Orange County~~ Expressway Authority, or for other impacts incurred by other entities, within the Wekiva Study Area or within the Wekiva parkway alignment corridor, and if the mitigation offsets these impacts, the St. Johns River Water Management District and the Department of Environmental Protection shall consider the activity regu-

lated under part IV of chapter 373 to meet the cumulative impact requirements of s. 373.414(8)(a).

(a) Acquisition of the land described in this section is required to provide right-of-way for the Wekiva Parkway, a limited access roadway linking State Road 429 to Interstate 4, an essential component in meeting regional transportation needs to provide regional connectivity, improve safety, accommodate projected population and economic growth, and satisfy critical transportation requirements caused by increased traffic volume growth and travel demands.

(b) Acquisition of the lands described in this section is also required to protect the surface water and groundwater resources of Lake, Orange, and Seminole counties, otherwise known as the Wekiva Study Area, including recharge within the springshed that provides for the Wekiva River system. Protection of this area is crucial to the long term viability of the Wekiva River and springs and the central Florida region's water supply. Acquisition of the lands described in this section is also necessary to alleviate pressure from growth and development affecting the surface and groundwater resources within the recharge area.

(c) Lands acquired pursuant to this section that are needed for transportation facilities for the Wekiva Parkway shall be determined not necessary for conservation purposes pursuant to ss. 253.034(6) and 373.089(5) and shall be transferred to or retained by the *Central Florida Orlando-Orange County* Expressway Authority or the Department of Transportation upon reimbursement of the full purchase price and acquisition costs.

(7) The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, *Central Florida Orlando-Orange County* Expressway Authority, and other land acquisition entities shall cooperate and establish funding responsibilities and partnerships by agreement to the extent funds are available to the various entities. Properties acquired with Florida Forever funds shall be in accordance with s. 259.041 or chapter 373. The *Central Florida Orlando-Orange County* Expressway Authority shall acquire land in accordance with this section of law to the extent funds are available from the various funding partners, but shall not be required nor assumed to fund the land acquisition beyond the agreement and funding provided by the various land acquisition entities.

Section 20. Subsection (1) of section 369.324, Florida Statutes, is amended to read:

369.324 Wekiva River Basin Commission.—

(1) The Wekiva River Basin Commission is created to monitor and ensure the implementation of the recommendations of the Wekiva River Basin Coordinating Committee for the Wekiva Study Area. The East Central Florida Regional Planning Council shall provide staff support to the commission with funding assistance from the Department of Economic Opportunity. The commission shall be comprised of a total of 18 ~~19~~ members appointed by the Governor, 9 of whom shall be voting members and 9 ~~10~~ shall be ad hoc nonvoting members. The voting members shall include:

(a) One member of each of the Boards of County Commissioners for Lake, Orange, and Seminole Counties.

(b) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Lake County.

(c) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Orange County.

(d) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Seminole County.

(e) One citizen representing an environmental or conservation organization, one citizen representing a local property owner, a land developer, or an agricultural entity, and one at-large citizen who shall serve as chair of the council.

(f) The ad hoc nonvoting members shall include one representative from each of the following entities:

1. St. Johns River Management District.

2. Department of Economic Opportunity.
3. Department of Environmental Protection.
4. Department of Health.
5. Department of Agriculture and Consumer Services.
6. Fish and Wildlife Conservation Commission.
7. Department of Transportation.
8. MetroPlan Orlando.
9. *Central Florida Orlando-Orange County* Expressway Authority.
10. ~~Seminole County Expressway Authority.~~

Section 21. (1) *While the governing body of the authority, upon the effective date of this act, has one or more members from Osceola County as provided in s. 348.753(3), Florida Statutes, and the authority has the purposes and powers described in s. 348.754, Florida Statutes, regarding Osceola County, the Osceola County Expressway Authority shall continue for the duration permitted in this section solely for the purpose of planning and construction of the Poinciana Parkway, which facility is owned by Osceola County and leased to the Osceola County Expressway Authority, as provided and permitted in this subsection. Upon the earlier of December 31, 2016, or the completion of construction of the Poinciana Parkway, a limited access facility of approximately 9 miles in length in Osceola County with its northwestern terminus at the intersection of County Road 54 and US 17/US 92 and its southeastern terminus at the current intersection of Rhododendron and Cypress Parkway, described in the Osceola County Expressway Authority May 8, 2012, Master Plan, all powers, governance, and control of the Osceola County Expressway System, created pursuant to part V, chapter 348, Florida Statutes, are transferred to the Central Florida Expressway Authority, and the assets; liabilities; facilities; tangible and intangible property, and any rights in such property; any rights in or benefits of contract; and any other legal rights and obligations of the Osceola County Expressway Authority are transferred to the Central Florida Expressway Authority. Part V of chapter 348, Florida Statutes, consisting of ss. 348.9950-348.9961, is repealed on the same date that the Osceola County Expressway System is transferred to the Central Florida Expressway Authority.*

(2) *The Central Florida Expressway Authority shall comply with any and all obligations of any other governmental entities incurred on behalf of the Osceola County Expressway System, excluding any obligations of Osceola County with respect to acquisition, development, construction, operations, and maintenance of the Poinciana Parkway, and excluding any payment or other obligations of Osceola County under any bonds issued or other debt originally incurred by Osceola County or the Osceola County Expressway Authority for the purpose of financing the planning or construction of the Poinciana Parkway, which shall remain the obligations of Osceola County. Payment obligations transferred to the Central Florida Expressway Authority shall be made from revenues available for such purpose after payment of all amounts required:*

And the title is amended as follows:

Delete line 83 and insert: System; excluding certain obligations and payments of Osceola County regarding the Poinciana Parkway; providing for reimbursement after payment of

Pursuant to Rule 4.19, **CS for CS for SB 230** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for CS for CS for SB 242—A bill to be entitled An act relating to the security of a protected consumer's information; providing a short title; creating s. 501.0051, F.S.; providing definitions; authorizing the representative of a protected consumer to place a security freeze on a protected consumer's consumer report or record; specifying the procedure to request a security freeze; requiring a consumer reporting agency to establish a record if the protected consumer does not have an existing consumer report; prohibiting the use of a consumer record for certain purposes; requiring a consumer reporting agency to place, and to provide written confirmation of, a security freeze within a specified period;

prohibiting a consumer reporting agency from stating or implying that a security freeze reflects a negative credit history or rating; requiring a consumer reporting agency to remove a security freeze under specified conditions; specifying the procedure to remove a security freeze; providing applicability; authorizing a consumer reporting agency to charge a fee for placing or removing a security freeze and for reissuing a unique personal identifier; prohibiting a fee under certain circumstances; requiring written notification upon the change of specified information in a protected consumer's consumer report or record; providing exceptions; requiring a consumer reporting agency to notify a representative and provide specified information if the consumer reporting agency violates a security freeze; requiring the Department of Agriculture and Consumer Services to investigate complaints regarding the violation of a security freeze; providing penalties and civil remedies for the violation of a security freeze; providing written disclosure requirements for consumer reporting agencies relating to a protected consumer's security freeze; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 242** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher—

SB 356—A bill to be entitled An act relating to the regulation of public lodging establishments and public food service establishments; amending s. 509.032, F.S.; deleting the restriction preventing local laws, ordinances, or regulations from regulating the use of vacation rentals based solely on their classification, use, or occupancy; providing an effective date.

—was read the second time by title.

Senator Galvano moved the following amendment which was adopted:

Amendment 1 (393974) (with title amendment)—Delete line 26 and insert:
633.206. *A local law, ordinance, or regulation may not limit the frequency of rentals or set a minimum stay requirement for a vacation rental of greater than 7 days. This subsection does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.*

And the title is amended as follows:

Delete line 4 and insert: amending s. 509.032, F.S.; prohibiting a local law, ordinance, or regulation from limiting the frequency of rentals or setting a minimum stay requirement for a vacation rental of greater than 7 days; providing an exception for certain laws, ordinances, or regulations; removing the preemption

Pursuant to Rule 4.19, **SB 356** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for SB 360—A bill to be entitled An act relating to sentencing for controlled substance violations; amending s. 893.135, F.S.; providing that a person who knowingly sells, purchases, manufactures, delivers, or brings into this state specified quantities of hydrocodone or a mixture containing hydrocodone or who is knowingly in actual or constructive possession of specified quantities of hydrocodone or a mixture containing hydrocodone commits the offense of trafficking in hydrocodone; providing criminal penalties; providing that a person who knowingly sells, purchases, manufactures, delivers, or brings into this state specified quantities of oxycodone or a mixture containing oxycodone or who is knowingly in actual or constructive possession of specified quantities of oxycodone or a mixture containing oxycodone commits the offense of trafficking in oxycodone; providing criminal penalties; amending s. 921.0022, F.S.; ranking the offenses of trafficking in hydrocodone and trafficking in oxycodone for purposes of the criminal punishment code; reenacting s. 775.087(2)(a) and (3)(a), F.S., relating to mandatory minimum sentences for the possession or use of a weapon during the commission of certain offenses, to incorporate the amendments made to s. 893.135, F.S., in a reference thereto; reenacting s. 782.04(1)(a), (3), and (4), F.S., relating to the classification of a murder committed during the

commission of certain offenses, to incorporate the amendments made to s. 893.135, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (450820) (with title amendment)—Delete lines 69-91 and insert:

hydrocodone, or any salt, derivative, isomer, or salt of an isomer thereof, or 14 grams or more of any mixture containing any such substance, commits a felony of the first degree, which felony shall be known as "trafficking in hydrocodone," punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the quantity involved:

a. Is 14 grams or more, but less than 28 grams, such person shall be sentenced to a mandatory minimum term of imprisonment of 3 years and shall be ordered to pay a fine of \$50,000.

b. Is 28 grams or more, but less than 50 grams, such person shall be sentenced to a mandatory minimum term of imprisonment of 7 years and shall be ordered to pay a fine of \$100,000.

c. Is 50 grams or more, but less than 200 grams, such person shall be sentenced to a mandatory minimum term of imprisonment of 15 years and shall be ordered to pay a fine of \$500,000.

d. Is 200 grams or more, but less than 30 kilograms, such person shall be sentenced to a mandatory minimum term of imprisonment of 25 years and shall be ordered to pay a fine of \$750,000.

3. A person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, 7 grams or more of oxycodone, or any salt, derivative, isomer, or salt of an isomer thereof, or 7 grams or more of any mixture containing any such

And the title is amended as follows:

Delete lines 5-17 and insert: *delivers, or brings into this state, or who is knowingly in actual or constructive possession of, specified quantities of hydrocodone, or any salt, derivative, isomer, or salt of an isomer thereof, or any mixture containing any such substance, commits the offense of trafficking in hydrocodone; providing criminal penalties; providing that a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, specified quantities of oxycodone, or any salt, derivative, isomer, or salt of an isomer thereof, or any mixture containing any such substance, commits*

Pursuant to Rule 4.19, **CS for SB 360** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for CS for SB 448—A bill to be entitled An act relating to the threatened use of force; providing legislative findings and intent; amending s. 775.087, F.S.; creating an exception to the minimum mandatory sentence for aggravated assault under specified conditions; amending s. 776.012, F.S.; applying provisions relating to the use of force in defense of persons to the threatened use of force; amending s. 776.013, F.S.; applying presumption relating to the use of deadly force to the threatened use of deadly force in the defense of a residence and similar circumstances; applying provisions relating to such use of force to the threatened use of force; amending s. 776.031, F.S.; applying provisions relating to the use of force in defense of property to the threatened use of force; amending s. 776.032, F.S.; applying immunity provisions that relate to the use of force to the threatened use of force; amending s. 776.041, F.S.; applying provisions relating to the use of force by an aggressor to the threatened use of force; providing exceptions; amending s. 776.051, F.S.; providing that a person is not justified in the threatened use of force to resist an arrest by a law enforcement officer; creating s. 776.09, F.S.; providing that a person is eligible to apply for a certificate of eligibility for expunction, notwithstanding the eligibility requirements, if the charging document in the case is not filed or is dismissed because it is found that the person acted in lawful self-defense pursuant to the provisions related to the justifiable use of force in ch. 776, F.S.; requiring a prosecutor, statewide prosecutor, or court to document and retain such

findings; amending s. 943.0585, F.S.; requiring the Department of Law Enforcement to provide a certificate of eligibility for expunction, notwithstanding the eligibility requirements, to a person who has a written, certified statement from a prosecutor or statewide prosecutor indicating that the charging document in the case was not filed or was dismissed because it was found that the person acted in lawful self-defense pursuant to the provisions related to the justifiable use of force in ch. 776, F.S.; providing a penalty for knowingly providing false information on a sworn statement; providing applicability; requiring the department to adopt rules; providing an effective date.

—was read the second time by title.

Senator Evers moved the following amendment which was adopted:

Amendment 1 (480342) (with title amendment)—Delete lines 74-355 and insert:

Section 2. Subsection (6) is added to section 775.087, Florida Statutes, to read:

775.087 Possession or use of weapon; aggravated battery; felony reclassification; minimum sentence.—

(6) *Notwithstanding s. 27.366, the sentencing court shall not impose the mandatory minimum sentence required by subsections (2) or (3) for a conviction for aggravated assault if the court makes written findings that:*

(a) *The defendant had a good faith belief that the aggravated assault was justifiable pursuant to ch. 776;*

(b) *The aggravated assault was not committed in the course of committing another criminal offense;*

(c) *The defendant does not pose a threat to public safety; and*

(d) *The totality of the circumstances involved in the offense do not justify the imposition of such sentence.*

Section 3. Section 776.012, Florida Statutes, is amended to read:

776.012 Use or threatened use of force in defense of person.—

(1) A person is justified in using or threatening to use force, except deadly force, against another when and to the extent that the person reasonably believes that such conduct is necessary to defend himself or herself or another against the other's imminent use of unlawful force. A person who uses or threatens to use force in accordance with this subsection does not have a duty to retreat before using or threatening to use such force. ~~However,~~

(2) A person is justified in using or threatening to use ~~the use of~~ deadly force ~~and does not have a duty to retreat if:~~

(~~1~~) he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or herself or another or to prevent the imminent commission of a forcible felony; ~~or~~

(~~2~~) ~~Under those circumstances permitted pursuant to s. 776.013, A person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be.~~

Section 4. Subsections (1), (2), and (3) of section 776.013, Florida Statutes, are amended to read:

776.013 Home protection; use or threatened use of deadly force; presumption of fear of death or great bodily harm.—

(1) A person is presumed to have held a reasonable fear of imminent peril of death or great bodily harm to himself or herself or another when using or threatening to use defensive force that is intended or likely to cause death or great bodily harm to another if:

(a) The person against whom the defensive force was used or threatened was in the process of unlawfully and forcefully entering, or had

unlawfully and forcibly entered, a dwelling, residence, or occupied vehicle, or if that person had removed or was attempting to remove another against that person's will from the dwelling, residence, or occupied vehicle; and

(b) The person who uses or threatens to use defensive force knew or had reason to believe that an unlawful and forcible entry or unlawful and forcible act was occurring or had occurred.

(2) The presumption set forth in subsection (1) does not apply if:

(a) The person against whom the defensive force is used or threatened has the right to be in or is a lawful resident of the dwelling, residence, or vehicle, such as an owner, lessee, or titleholder, and there is not an injunction for protection from domestic violence or a written pretrial supervision order of no contact against that person; or

(b) The person or persons sought to be removed is a child or grandchild, or is otherwise in the lawful custody or under the lawful guardianship of, the person against whom the defensive force is used or threatened; or

(c) The person who uses or threatens to use defensive force is engaged in a criminal ~~an unlawful~~ activity or is using the dwelling, residence, or occupied vehicle to further a criminal ~~an unlawful~~ activity; or

(d) The person against whom the defensive force is used or threatened is a law enforcement officer, as defined in s. 943.10(14), who enters or attempts to enter a dwelling, residence, or vehicle in the performance of his or her official duties and the officer identified himself or herself in accordance with any applicable law or the person using or threatening to use force knew or reasonably should have known that the person entering or attempting to enter was a law enforcement officer.

(3) A person ~~who is not engaged in an unlawful activity and who is attacked in his or her dwelling, residence, or vehicle in any other place where he or she has a right to be~~ has no duty to retreat and has the right to stand his or her ground and use or threaten to use force ~~meet force with force~~, including deadly force, if he or she uses or threatens to use force in accordance with s. 776.012(1) or (2) or s. 776.031(1) or (2) ~~reasonably believes it is necessary to do so to prevent death or great bodily harm to himself or herself or another or to prevent the commission of a forcible felony.~~

Section 5. Section 776.031, Florida Statutes, is amended to read:

776.031 Use or threatened use of force in defense of property ~~others~~.—

(1) A person is justified in using or threatening to use ~~the use of~~ force, except deadly force, against another when and to the extent that the person reasonably believes that such conduct is necessary to prevent or terminate the other's trespass on, or other tortious or criminal interference with, either real property other than a dwelling or personal property, lawfully in his or her possession or in the possession of another who is a member of his or her immediate family or household or of a person whose property he or she has a legal duty to protect. A person who uses or threatens to use force in accordance with this subsection does not have a duty to retreat before using or threatening to use such force. ~~However, the~~

(2) A person is justified in using or threatening to use ~~the use of~~ deadly force only if he or she reasonably believes that such ~~conduct~~ force is necessary to prevent the imminent commission of a forcible felony. ~~A person does not have a duty to retreat if the person is in a place where he or she has a right to be. A person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be.~~

Section 6. Subsections (1) and (2) of section 776.032, Florida Statutes, are amended to read:

776.032 Immunity from criminal prosecution and civil action for justifiable use or threatened use of force.—

(1) A person who uses or threatens to use force as permitted in s. 776.012, s. 776.013, or s. 776.031 is justified in ~~using~~ such ~~conduct~~ force and is immune from criminal prosecution and civil action for the use or

threatened use of such force by the person, personal representative, or heirs of the person against whom the force was used or threatened, unless the person against whom force was used or threatened is a law enforcement officer, as defined in s. 943.10(14), who was acting in the performance of his or her official duties and the officer identified himself or herself in accordance with any applicable law or the person using or threatening to use force knew or reasonably should have known that the person was a law enforcement officer. As used in this subsection, the term "criminal prosecution" includes arresting, detaining in custody, and charging or prosecuting the defendant.

(2) A law enforcement agency may use standard procedures for investigating the use or threatened use of force as described in subsection (1), but the agency may not arrest the person for using or threatening to use force unless it determines that there is probable cause that the force that was used or threatened was unlawful.

Section 7. Subsection (2) of section 776.041, Florida Statutes, is amended to read:

776.041 Use or threatened use of force by aggressor.—The justification described in the preceding sections of this chapter is not available to a person who:

(2) Initially provokes the use or threatened use of force against himself or herself, unless:

(a) Such force or threat of force is so great that the person reasonably believes that he or she is in imminent danger of death or great bodily harm and that he or she has exhausted every reasonable means to escape such danger other than the use or threatened use of force which is likely to cause death or great bodily harm to the assailant; or

(b) In good faith, the person withdraws from physical contact with the assailant and indicates clearly to the assailant that he or she desires to withdraw and terminate the use or threatened use of force, but the assailant continues or resumes the use or threatened use of force.

Section 8. Subsection (1) of section 776.051, Florida Statutes, is amended to read:

776.051 Use or threatened use of force in resisting arrest or making an arrest or in the execution of a legal duty; prohibition.—

(1) A person is not justified in the use or threatened use of force to resist an arrest by a law enforcement officer, or to resist a law enforcement officer who is engaged in the execution of a legal duty, if the law enforcement officer was acting in good faith and he or she is known, or reasonably appears, to be a law enforcement officer.

Section 9. Subsection (1) of section 776.06, Florida Statutes, is amended to read:

776.06 Deadly force by a law enforcement or correctional officer.—

(1) As applied to a law enforcement officer or correctional officer acting in the performance of his or her official duties, the term "deadly force" means force that is likely to cause death or great bodily harm and includes, but is not limited to:

(a) The firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and

(b) The firing of a firearm at a vehicle in which the person to be arrested is riding.

And the title is amended as follows:

Delete lines 4-24 and insert: 775.087, F.S.; prohibiting the court from imposing certain mandatory minimum sentences if the court makes specified written findings; amending s. 776.012, F.S.; applying provisions relating to the use of force in defense of persons to the threatened use of force; providing that a person who lawfully uses or threatens to use nondeadly force does not have a duty to retreat; providing that a person who lawfully uses or threatens to use deadly force does not have a duty to retreat if the person using or threatening the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be; amending s. 776.013, F.S.; applying presumption relating to

the use of deadly force to the threatened use of deadly force in the defense of a residence and similar circumstances; applying provisions relating to such use of force to the threatened use of force; removing provisions relating to one's duty to retreat prior to using force; amending s. 776.031, F.S.; applying provisions relating to the use of force in defense of property to the threatened use of force; providing that a person who lawfully uses or threatens to use nondeadly force does not have a duty to retreat; providing that a person who lawfully uses or threatens to use deadly force does not have a duty to retreat if the person using or threatening the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be; amending s. 776.032, F.S.; applying immunity provisions that relate to the use of force to the threatened use of force; limiting immunity provisions to civil actions by the person, personal representative, or heirs of the person against whom force was used; amending s. 776.041, F.S.; applying provisions relating to the use of force by an aggressor to the threatened use of force; providing exceptions; amending s. 776.051, F.S.; providing that a person is not justified in the threatened use of force to resist an arrest by a law enforcement officer; amending s. 776.06, F.S., clarifying that the statute relates to use of force by a law enforcement or correctional officer; creating s. 776.09, F.S.;

Pursuant to Rule 4.19, **CS for CS for SB 448** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

SB 496—A bill to be entitled An act relating to warranty associations; amending ss. 634.121 and 634.312, F.S.; authorizing electronic transmission of service agreements and home warranties; providing requirements for electronic transmission; providing notice requirements; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; amending s. 634.414, F.S.; providing requirements for the delivery of service warranty contracts; providing notice requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 496** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

SB 506—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 631.582, F.S., which provides an exemption from public records for certain records held by the Florida Insurance Guaranty Association; abrogating the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 506** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

SB 642—A bill to be entitled An act relating to the Florida Transportation Corporation Act; repealing s. 11.45(3)(m), F.S., relating to the authority of the Auditor General to conduct audits of transportation corporations authorized under the Florida Transportation Corporation Act; repealing the Florida Transportation Corporation Act; repealing s. 339.401, F.S., relating to the short title; repealing s. 339.402, F.S., relating to definitions; repealing s. 339.403, F.S., relating to legislative findings and purpose; repealing s. 339.404, F.S., relating to authorization of transportation corporations; repealing s. 339.405, F.S., relating to the type, structure, and income of an authorized transportation corporation; repealing s. 339.406, F.S., relating to the contract between the Department of Transportation and an authorized transportation corporation; repealing s. 339.407, F.S., relating to the articles of incorporation of an authorized transportation corporation; repealing s. 339.408, F.S., relating to the board of directors and advisory directors of an authorized transportation corporation; repealing s. 339.409, F.S., relating to the bylaws of an authorized transportation corporation; re-

pealing s. 339.410, F.S., relating to notice of meetings and open records of an authorized transportation corporation; repealing s. 339.411, F.S., relating to the amendment of the articles of incorporation of an authorized transportation corporation; repealing s. 339.412, F.S., relating to the powers of an authorized transportation corporation; repealing s. 339.414, F.S., relating to the use of state property by an authorized transportation corporation; repealing s. 339.415, F.S., relating to tax exemptions for an authorized transportation corporation; repealing s. 339.416, F.S., relating to the authority of the department to alter or dissolve an authorized transportation corporation; repealing s. 339.417, F.S., relating to the dissolution of an authorized transportation corporation upon the completion of its purpose and obligations; repealing s. 339.418, F.S., relating to the transfer of funds and property of an authorized transportation corporation to the department upon the dissolution of such corporation; repealing s. 339.419, F.S., relating to department rules implementing the act; repealing s. 339.420, F.S., relating to construction of the act; repealing s. 339.421, F.S., relating to the issuance of debt by an authorized transportation corporation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 642** was placed on the calendar of Bills on Third Reading.

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

SM 118—A memorial to the Congress of the United States, urging Congress to repeal all taxes on income and enact a national retail sales tax as specified in H.R. 25, the Fair Tax Act of 2013.

—was read the second time by title. On motion by Senator Hays, **SM 118** was adopted and certified to the House.

SM 196—A memorial to the Congress of the United States, urging the House of Representatives to support passage of the Marketplace Fairness Act of 2013.

—was read the second time by title. On motion by Senator Margolis, **SM 196** failed to be adopted.

On motion by Senator Latvala—

CS for CS for CS for SB 846—A bill to be entitled An act relating to governmental ethics; amending ss. 11.045 and 112.3215, F.S.; defining the term “local officer”; prohibiting a local officer from registering to lobby the Legislature or an agency on behalf of another person or entity other than his or her political subdivision; authorizing a local officer to be employed by or contracted with a lobbying firm under certain circumstances; providing for applicability; amending s. 28.35, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to members of the executive council of the Florida Clerks of Court Operations Corporation; amending s. 112.3142, F.S.; requiring elected municipal officers to participate in annual ethics training; providing legislative intent; amending s. 112.3144, F.S.; requiring an officer required to participate in annual ethics training to certify participation on his or her full and public disclosure of financial interests; revising the conditions under which a qualifying officer forwards a full and public disclosure of financial interests to the Commission on Ethics; authorizing the Commission on Ethics to initiate an investigation and hold a public hearing without receipt of a complaint in certain circumstances; requiring the commission to enter an order recommending removal of an officer or public employee from public office or public employment in certain circumstances; prohibiting the commission from taking action on a complaint alleging certain errors or omissions on a disclosure; providing that failure to certify completion of annual ethics training on a disclosure does not constitute an immaterial, inconsequential, or de minimis error or omission; amending s. 112.3145, F.S.; requiring an officer required to participate in annual ethics training to certify participation on his or her statement of financial interests; authorizing the Commission on Ethics to initiate an investigation and hold a public hearing without receipt of a complaint in certain circumstances; requiring the commission to enter an order to remove an officer or public employee from public office or public employment in certain

circumstances; prohibiting the commission from taking action on a complaint alleging certain errors or omissions on a statement; providing that failure to certify completion of annual ethics training on a statement does not constitute an immaterial, inconsequential, or de minimis error or omission; amending s. 112.31455, F.S.; authorizing the Chief Financial Officer or governing body to withhold the entire amount of a fine owed and related administrative costs from salary-related payments of certain individuals; authorizing the Chief Financial Officer or governing body to reduce the amount withheld if an individual can demonstrate a hardship; creating s. 112.31456, F.S.; authorizing the commission to seek wage garnishment of certain individuals to satisfy unpaid fines; authorizing the commission to refer unpaid fines to a collection agency; establishing a statute of limitations with respect to the collection of an unpaid fine; creating s. 112.3251, F.S.; requiring citizen support and direct-support organizations to adopt a code of ethics; establishing minimum requirements for a code of ethics; creating s. 112.3261, F.S.; defining terms; prohibiting a person from lobbying a governmental entity until registering; establishing registration requirements; requiring public availability of lobbyist registrations; establishing procedures for termination of a lobbyist’s registration; authorizing a governmental entity to establish a registration fee; requiring a governmental entity to monitor compliance with registration requirements; requiring the commission to investigate a lobbyist or principal upon receipt of a sworn complaint containing certain allegations; requiring the commission to provide the Governor with a report on the findings and recommendations resulting from the investigation; authorizing the Governor to enforce the commission’s findings and recommendations; amending s. 286.012, F.S.; revising disclosure requirements with respect to a voting abstention at a meeting of a governmental body; authorizing a member to abstain from voting on a decision, ruling, or act in a quasi-judicial proceeding under certain circumstances; amending s. 288.901, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to the president, senior managers, and members of the board of directors of Enterprise Florida, Inc.; prohibiting the president, senior managers, and board members from representing a person or entity before the corporation for a specified timeframe; amending s. 288.92, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to certain officers and board members associated with the divisions of Enterprise Florida, Inc.; prohibiting such officers and members from representing a person or entity for compensation before Enterprise Florida, Inc., for a specified timeframe; amending s. 288.9604, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to the board of directors of the Florida Development Finance Corporation; amending s. 627.351, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to the executive director of Citizens Property Insurance Corporation; prohibiting a former executive director, senior manager, or member of the board of governors of the corporation from representing another person or entity before the corporation for a specified timeframe; prohibiting a former executive director, senior manager, or member of the board of governors from entering employment or a contractual relationship for a specified timeframe with certain insurers; amending ss. 11.0455 and 112.32155, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendments which were adopted:

Amendment 1 (309078)—Delete lines 177-283 and insert:

(2) *A local officer may not register as a lobbyist for the purpose of lobbying the Legislature on behalf of a person or entity other than his or her political subdivision. This subsection does not prohibit a local officer from being employed by, or contracting with, a lobbying firm if he or she does not personally represent clients before the Legislature.*

(9)(8) Any person required to be registered or to provide information pursuant to this section or pursuant to rules established in conformity with this section who knowingly fails to disclose any material fact required by this section or by rules established in conformity with this section, or who knowingly provides false information on any report required by this section or by rules established in conformity with this section, commits a noncriminal infraction, punishable by a fine not to

exceed \$5,000. Such penalty shall be in addition to any other penalty assessed by a house of the Legislature pursuant to subsection (8) ~~(7)~~.

~~(10)(9)~~ There is hereby created the Legislative Lobbyist Registration Trust Fund, to be used for the purpose of funding any office established for the administration of the registration of lobbyists lobbying the Legislature, including the payment of salaries and other expenses, and for the purpose of paying the expenses incurred by the Legislature in providing services to lobbyists. The trust fund is not subject to the service charge to general revenue provisions of chapter 215. Fees collected pursuant to rules established in accordance with subsection (3) ~~(2)~~ shall be deposited into the Legislative Lobbyist Registration Trust Fund.

Section 2. Subsection (1) of section 112.3215, Florida Statutes, is amended, present subsections (3) through (15) of that section are renumbered as subsections (4) through (16), respectively, a new subsection (3) is added to that section, and present subsection (11) of that section is amended, to read:

112.3215 Lobbying before the executive branch or the Constitution Revision Commission; registration and reporting; investigation by commission.—

(1) For the purposes of this section:

(a) “Agency” means the Governor, *the* Governor and Cabinet, or any department, division, bureau, board, commission, or authority of the executive branch. In addition, “agency” shall mean the Constitution Revision Commission as provided by s. 2, Art. XI of the State Constitution.

(b) “Agency official” or “employee” means any individual who is required by law to file full or limited public disclosure of his or her financial interests.

(c) “Compensation” means a payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

(d) “Expenditure” means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal for the purpose of lobbying. The term “expenditure” does not include contributions or expenditures reported pursuant to chapter 106 or contributions or expenditures reported pursuant to federal election law, campaign-related personal services provided without compensation by individuals volunteering their time, any other contribution or expenditure made by or to a political party or an affiliated party committee, or any other contribution or expenditure made by an organization that is exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4).

(e) “Fund” means the Executive Branch Lobby Registration Trust Fund.

(f) “Lobbies” means seeking, on behalf of another person, to influence an agency with respect to a decision of the agency in the area of policy or procurement or an attempt to obtain the goodwill of an agency official or employee. “Lobbies” also means influencing or attempting to influence, on behalf of another, the Constitution Revision Commission’s action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Constitution Revision Commission.

(g) “Lobbying firm” means a business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying, where any partner, owner, officer, or employee of the business entity is a lobbyist.

(h) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. “Lobbyist” does not include a person who is:

1. An attorney, or any person, who represents a client in a judicial proceeding or in a formal administrative proceeding conducted pursuant to chapter 120 or any other formal hearing before an agency, board, commission, or authority of this state.

2. An employee of an agency or of a legislative or judicial branch entity acting in the normal course of his or her duties.

3. A confidential informant who is providing, or wishes to provide, confidential information to be used for law enforcement purposes.

4. A person who lobbies to procure a contract pursuant to chapter 287 which contract is less than the threshold for CATEGORY ONE as provided in s. 287.017.

(i) “Local officer” means a state attorney, public defender, sheriff, tax collector, property appraiser, supervisor of elections, clerk of the circuit court, county commissioner, district school board member, or superintendent of schools.

(j)~~(i)~~ “Principal” means the person, firm, corporation, or other entity which has employed or retained a lobbyist.

(3) A local officer may not register as a lobbyist for the purpose of lobbying an agency on behalf of a person or entity other than his or her political subdivision. This subsection does not prohibit a local officer from being employed by, or contracting with, a lobbying firm if he or she does not personally represent clients before an agency.

Amendment 2 (727518)—Delete lines 301-328 and insert:

Section 4. Paragraph (b) of subsection (1) of section 28.35, Florida Statutes, is amended to read:

28.35 Florida Clerks of Court Operations Corporation.—

(1)

(b)1. The executive council shall be composed of eight clerks of the court elected by the clerks of the courts for a term of 2 years, with two clerks from counties with a population of fewer than 100,000, two clerks from counties with a population of at least 100,000 but fewer than 500,000, two clerks from counties with a population of at least 500,000 but fewer than 1 million, and two clerks from counties with a population of ~~more than~~ 1 million or more. The executive council shall also include, as ex officio members, a designee of the President of the Senate and a designee of the Speaker of the House of Representatives. The Chief Justice of the Supreme Court shall designate one additional member to represent the state courts system.

2. *The Legislature determines that it is in the public interest that a member of the executive council of the corporation be subject to the requirements of ss. 112.313, 112.3135, and 112.3143(2). Notwithstanding that the council members are not public officers or employees, for purposes of the application of ss. 112.313, 112.3135, and 112.3143(2) to the activities of the council members, the council members shall be considered public officers or employees, and the corporation shall be considered their agency.*

3. *A member of the executive council of the corporation may not represent another person or entity for compensation before the corporation for a period of 2 years following his or her service on the executive council.*

Amendment 3 (637996)—Delete lines 371-373 and insert:
or elected municipal officer assuming a new office or new term of office after March 31 is not required to complete ethics training for the calendar year in which the term of office began.

Amendment 4 (631004)—Delete lines 724-813 and insert:

Section 13. Paragraph (c) of subsection (1) of section 288.901, Florida Statutes, is amended, and paragraph (d) is added to that subsection, to read:

288.901 Enterprise Florida, Inc.—

(1) CREATION.—

(c) The Legislature determines that it is in the public interest that *the president, senior managers, and for the members of the board of directors of Enterprise Florida, Inc., board of directors to be subject to the requirements of ss. 112.313, 112.3135, and 112.3143(2), and 112.313, excluding s. 112.313(2), Notwithstanding the fact that the board members are not public officers or employees, for purposes of the*

application of ss. 112.313, 112.3135, and 112.3143(2) to the activities of ~~those sections~~, the president, senior managers, and board members, those individuals shall be considered ~~to be~~ public officers or employees, and the corporation shall be considered their agency. The exemption set forth in s. 112.313(12) for advisory boards applies to the members of the Enterprise Florida, Inc., board of directors. Further, each member of the board of directors who is not otherwise required to file financial disclosures pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, shall file disclosure of financial interests pursuant to s. 112.3145.

(d) The president, senior managers, and members of the board of directors of Enterprise Florida, Inc., may not represent another person or entity for compensation before the corporation for a period of 2 years after ending their employment with the corporation or service on the board of directors.

Section 14. Present paragraph (b) of subsection (2) of section 288.92, Florida Statutes, is redesignated as paragraph (c), and a new paragraph (b) is added to that subsection, to read:

288.92 Divisions of Enterprise Florida, Inc.—

(2)

(b)1. The Legislature determines that it is in the public interest that the following officers and board members be subject to ss. 112.313, 112.3135, and 112.3143(2), notwithstanding the fact that such officers and board members are not public officers or employees:

a. Officers and members of the board of directors of the divisions of Enterprise Florida, Inc.;

b. Officers and members of the board of directors of subsidiaries of Enterprise Florida, Inc.;

c. Officers and members of the board of directors of corporations created to carry out the missions of Enterprise Florida, Inc.; and

d. Officers and members of the board of directors of corporations with which a division is required by law to contract with to carry out its missions.

2. The officers and members of the board of directors specified in subparagraph 1. may not represent another person or entity for compensation before Enterprise Florida, Inc., for a period of 2 years after retirement from or termination of service to the division.

3. For purposes of the application of ss. 112.313, 112.3135, and 112.3143(2) to the activities of the officers and members of the board of directors specified in subparagraph 1., those individuals shall be considered public officers or employees, and the corporation shall be considered their agency.

Section 15. Paragraph (a) of subsection (3) of section 288.9604, Florida Statutes, is amended to read:

288.9604 Creation of the authority.—

(3)(a)1. A director may not ~~shall~~ receive ~~no~~ compensation for his or her services, but is entitled to the necessary expenses, including travel expenses, incurred in the discharge of his or her duties. Each director shall hold office until his or her successor has been appointed.

2. The Legislature determines that it is in the public interest that a director of the board of directors of the Florida Development Finance Corporation be subject to ss. 112.313, 112.3135, and 112.3143(2). Notwithstanding that the directors are not public officers or employees, for purposes of the application of ss. 112.313, 112.3135, and 112.3143(2) to the activities of the directors, the directors shall be considered public officers or employees, and the corporation shall be considered their agency.

3. A director of the board of directors of the corporation may not represent another person or entity for compensation before the corporation for a period of 2 years following his or her service on the board of directors.

Section 16. Paragraph (d) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(d)1. All prospective employees for senior management positions, as defined by the plan of operation, are subject to background checks as a prerequisite for employment. The office shall conduct the background checks pursuant to ss. 624.34, 624.404(3), and 628.261.

2. On or before July 1 of each year, employees of the corporation must sign and submit a statement attesting that they do not have a conflict of interest, as defined in part III of chapter 112. As a condition of employment, all prospective employees must sign and submit to the corporation a conflict-of-interest statement.

3. The executive director, senior managers, and members of the board of governors are subject to part III of chapter 112, including, but not limited to, the code of ethics and public disclosure and reporting of financial interests, pursuant to s. 112.3145. Notwithstanding that the executive director, senior managers, and members of the board of governors are not public officers or employees, for purposes of the application of part III of chapter 112 to the activities of those individuals, the executive director, senior managers, and members of the board of governors shall be considered public officers and employees, and the corporation shall be considered their agency. Notwithstanding s. 112.3143(2), a board member may not

Pursuant to Rule 4.19, CS for CS for CS for SB 846 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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

REPORTS OF COMMITTEES

BEFORE THE STATE OF FLORIDA COMMISSION ON ETHICS

In re: Darren Michael Soto,
Respondent.

Complaint No. 12-208

JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER

Respondent, Darren Michael Soto, and the Advocate for the Florida Commission on Ethics enter into this Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled Complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

STIPULATED FINDINGS OF FACT

1. Respondent served as a member of the Florida House of Representatives and currently serves in the Florida Senate and as such was subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.

2. On October 29, 2012, a sworn Complaint was filed with the Commission on Ethics alleging that Respondent had violated the Code of Ethics.

3. Pursuant to section 112.322, Florida Statutes, the Executive Director of the Commission on Ethics found that the Complaint was legally sufficient and ordered a preliminary investigation of the Complaint for a probable cause determination of whether Respondent had violated the Code of Ethics. The Report of Investigation was released on December 12, 2012.

4. On March 8, 2013 the Commission on Ethics found probable cause to believe Respondent had violated Article II, Section 8 of the Florida Constitution. The allegation is:

Respondent violated Article II, Section 8 of the Florida Constitution, by failing to disclose an asset (a checking account) on his CE Form 6, "Full and Public Disclosure of Financial Interests."

5. Respondent admits the facts as set forth in the Report of Investigation, which is specifically incorporated by reference in this Joint Stipulation.

6. Respondent filed a CE Form 6X, "Amendment to Full and Public Disclosure of Financial Interest," which included the missing asset, a checking account.

STIPULATED CONCLUSIONS OF LAW

7. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

8. The Commission on Ethics has jurisdiction over the Complaint as filed in this proceeding and over Respondent.

9. Respondent violated Article II, Section 8, of the Florida Constitution, by filing an inaccurate CE Form 6, "Full and Public Disclosure of Financial Interests," regarding assets.

10. Respondent admits the allegation as set forth in paragraph four (4) of the Stipulated Findings of Fact, above.

STIPULATED RECOMMENDED ORDER

11. The Advocate accepts Respondent's stipulation in this proceeding.

12. The Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings before the Commission in this cause.

13. Therefore, the Advocate recommends that:

(a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties; and

(b) The Commission on Ethics enter a Final Order and Public Report consistent with this Stipulation finding that Respondent violated Florida Constitution, and refer the matter to the President of the Senate for action consistent with section 112.324(4), Florida Statutes.

FURTHER STIPULATIONS

14. Respondent and the Advocate stipulate and covenant that they have freely and voluntarily entered into this Joint Stipulation of Fact, Law, and Recommended Order with full knowledge and understanding of its contents. Respondent and the Advocate further stipulate and covenant that this Joint Stipulation constitutes the full agreement of the parties and that there are no oral or written understandings between the parties other than those contained in this Stipulation of Fact, Law, and Recommended Order.

15. Respondent and the Advocate stipulate and covenant that, in consideration of the provisions of this Joint Stipulation of Fact, Law, and Recommended Order, Respondent and the Advocate accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

16. Respondent and the Advocate stipulate that this Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this document shall be of no purpose and effect and shall not be deemed an admission by Respondent.

17. Effective upon approval of this Joint Stipulation of Fact, Law, and Recommended Order by the Commission on Ethics, Respondent waives all time, notice, and hearing rights, requirements, and entitlements, as to all subsequent hearings in this proceeding.

Signed, dated and entered into this 18th day of April, 2013.

Melody A. Hadley
 Advocate for the Florida
 Commission on Ethics
 Florida Bar No. 0636045
 Office of the Attorney General
 The Capitol PL-01
 Tallahassee, Florida 32399-1050

Darren Michael Soto
 Respondent

In re: The Honorable Darren Soto, Senator, District 14

CONSENT DECREE

The Committee on Rules and the Honorable Darren Soto, Senator, District 14, enter this consent decree.

RECITALS

WHEREAS, Senator Darren Soto, as a former member of the Florida House of Representatives and presently a member of the Florida Senate, was subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes, on May 21, 2012, when he completed his 2011 CE Form 6, "Full and Public Disclosure of Financial Interests."

WHEREAS, on October 29, 2012, a sworn complaint was filed with the Florida Commission on Ethics alleging that Senator Darren Soto violated the Code of Ethics by failing to disclose a financial asset on his 2011 CE Form 6.

WHEREAS, Senator Darren Soto admitted to inadvertently failing to disclose a bank account on CE Form 6, and having been made aware of the error, filed a CE Form 6X, "Amendment to Full and Public Disclosure of Financial Interests," which corrected his omission.

WHEREAS, the Commission on Ethics issued a Final Order and Public Report in which the Commission found that Senator Darren Soto violated Article II, Section 8 of the Florida Constitution, by failing to disclose fully his financial interests for the year 2011 and referred consideration of this matter to the Florida Senate Committee on Rules in accordance with Senate Rule 1.43.

PROPOSED DISPOSITION

1) In light of the facts set forth above, all parties accept the Commission on Ethics finding of the violation as set forth in the Final Order and Public Report. The parties further agree that this violation was neither willful nor intentional and was corrected prior to the entry of the final order.

2) In view of the inadvertent nature of this violation, Senator Darren Soto's admission of error, and his subsequent submission of the required correction, the Committee on Rules recommends to the Senate that a letter of admonishment from the Chair of the Committee on Rules is an appropriate level of penalty.

3) The Committee on Rules further recommends that the Florida Senate accept this Consent Decree and that the same be published in the Senate Journal, whereupon this matter shall be resolved.

Entered into this 20th day of March, 2014.

s/ Darren Soto
 Respondent
s/ Christopher L. Smith
 Vice Chair
s/ Bill Galvano
s/ Jack Latvala
s/ Gwen Margolis
s/ Joe Negron
s/ Jeremy Ring
s/ Eleanor Sobel

s/ John Thrasher
 Chair
s/ Lizbeth Benacquisto
s/ Miguel Diaz de la Portilla
s/ Andy Gardiner
s/ Tom Lee
s/ Bill Montford
s/ Garrett Richter
s/ David Simmons

The Honorable Darren Soto
Senator, District 14

March 20, 2014

WHEREAS, Senator Maria Lorts Sachs has admitted that her disclosure reflecting her affiliation with Moving Florida Forward PC, and her intent to solicit and accept contributions on behalf of Moving Florida Forward PC was not timely filed with the Committee on Rules as required by Senate Rule 1.361(3).

Dear Senator Soto:

I have received the report of the Rules Committee in which the committee has recommended, and you have accepted, that I issue a letter of admonishment related to your failure to file a complete financial disclosure statement with the Commission on Ethics for the year 2011 while a candidate for the Florida Senate.

While I accept your assertion that the errors and omissions were unintentional, I nevertheless would admonish you that in upholding the trust which has been placed in you by the voters of District 14, you must meticulously adhere to the requirements of the financial disclosure law and other laws and rules related to legislative service.

In the future, should you find yourself in doubt as to the proper course of action in such matters, I would strongly urge you to seek the advice of the General Counsel of the Senate or of the Commission on Ethics, prior to risking a violation of the rules which govern our conduct.

I appreciate and applaud your willingness to accept responsibility and to seek to bring this matter to an appropriate conclusion.

Sincerely,
John Thrasher
Chair, Rules Committee

President Don Gaetz
The Florida Senate

March 20, 2014

SUGGESTED DISPOSITION

1) In light of the facts set forth above, all parties stipulate that Senator Maria Lorts Sachs failed to file her disclosure of affiliation and intent to solicit and accept contributions on behalf of Moving Florida Forward PC as required by Senate Rule 1.361(3).

2) The parties further agree that this violation was neither willful nor intentional and was corrected as soon as practical after Senator Sachs was made aware of the oversight.

3) Given the inadvertent nature of this violation, Senator Sachs's admission of error, and her prompt submission of the required correction, the Committee on Rules recommends to the Florida Senate that a letter of admonishment from the Rules Chair is an appropriate level of penalty.

4) Given the sufficiency of the letter of admonishment as an appropriate penalty, the Committee on Rules further recommends that the penalty described in Senate Rule 1.361(4) relating to removal from all assigned committees not be imposed.

5) The Committee on Rules further recommends that the Florida Senate accept this Consent Decree and that the same be published in the Senate Journal, whereupon this matter shall be resolved.

Entered into this 20th day of March, 2014.

s/ Maria Lorts Sachs
Respondent

s/ Christopher L. Smith
Vice Chair

s/ Bill Galvano

s/ Jack Latvala

s/ Gwen Margolis

s/ Joe Negron

s/ Jeremy Ring

s/ Eleanor Sobel

s/ John Thrasher
Chair

s/ Lizbeth Benacquisto

s/ Miguel Diaz de la Portilla

s/ Andy Gardiner

s/ Tom Lee

s/ Bill Montford

s/ Garrett Richter

s/ David Simmons

Dear President Gaetz:

The Committee on Rules met on March 20, 2014, and after due consideration respectfully submits to the Senate for its approval the attached consent decree relating to the Ethics Commission report relating to Senator Soto.

The consent decree and vote sheet are attached hereto and by reference made a part of this report.

Sincerely,
John Thrasher
Chair, Rules Committee

MOTION

On motion by Senator Thrasher, the Report of the Committee on Rules was adopted.

On motion by Senator Thrasher, the rules were waived and the Joint Stipulation of Fact, Law, and Recommended Order; the Consent Decree; the letter from the Rules Committee Chair; and the letter from the Rules Committee to the President were ordered spread upon the Journal.

The Honorable Maria Lorts Sachs
Senator, District 34

March 20, 2014

Dear Senator Sachs:

I have received the report of the Rules Committee in which the committee has recommended, and you have accepted, that I issue a letter of admonishment related to your failure to file with the Rules Committee a disclosure of affiliation and intent to solicit and accept contributions on behalf of a political committee as required by Senate Rule 1.361(3).

While I accept your assertion that this failure to disclose was unintentional, I nevertheless would admonish you that in upholding the trust which has been placed in you by the voters of District 34, you must meticulously adhere to the requirements of Senate Rules related to legislative service.

In the future, should you find yourself in doubt as to the proper course of action in such matters, I would strongly urge you to seek the advice of the General Counsel of the Senate, prior to risking a violation of the rules which govern our conduct.

I appreciate and applaud your willingness to accept responsibility and to seek to bring this matter to an appropriate conclusion.

Sincerely,
John Thrasher
Chair, Rules Committee

In re: The Honorable Maria Lorts Sachs, Senator, District 34

CONSENT DECREE

The Committee on Rules and the Honorable Maria Lorts Sachs, Senator, District 34, enter this consent decree.

RECITALS

WHEREAS, on January 28, 2014, a complaint was filed alleging that Senator Maria Lorts Sachs failed to register and disclose with the Committee on Rules her affiliation with a political committee for which she solicited or accepted contributions as required under Senate Rule 1.361(3).

WHEREAS, Senator Maria Lorts Sachs, when she was made aware of the complaint and the oversight, corrected the error and filed the statement required by Senate Rule 1.361(3) on the same day the complaint was received.

President Don Gaetz
The Florida Senate

March 20, 2014

The Committee on Community Affairs recommends the following pass:
SB 1102

Dear President Gaetz:

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: CS for SB 596

The Committee on Rules met on March 20, 2014, and after due consideration respectfully submits to the Senate for its approval the attached consent decree relating to the complaint filed against Senator Sachs.

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The consent decree and vote sheet are attached hereto and by reference made a part of this report.

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1582

Sincerely,
John Thrasher
Chair, Rules Committee

The bill was referred to Appropriations Subcommittee on General Government under the original reference.

MOTION

On motion by Senator Thrasher, the Report of the Committee on Rules was adopted.

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1176; SB 1336

On motion by Senator Thrasher, the rules were waived and the Consent Decree, the letter from the Rules Committee Chair, and the letter from the Rules Committee to the President were ordered spread upon the Journal.

The bills were referred to the Committee on Commerce and Tourism under the original reference.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Brandes, by two-thirds vote **SM 1058, SB 264,** and **SB 184** were withdrawn from the committees of reference and further consideration.

The Committee on Education recommends the following pass: SB 1382

The Committee on Transportation recommends the following pass: SB 1052

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

On motion by Senator Galvano, by two-thirds vote **SB 1620** was withdrawn from the committees of reference and further consideration.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1372

On motion by Senator Ring, by unanimous consent **CS for SB 500** was withdrawn from the committees of reference and further consideration.

The bill was referred to the Committee on Education under the original reference.

MOTIONS

On motion by Senator Thrasher, the rules were waived and **SB 852** was retained on the Special Order Calendar.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 750

The bill was referred to the Committee on Judiciary under the original reference.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, March 20, 2014: CS for CS for SB 542, CS for CS for SB 846, SB 928, SB 1648, CS for SB 102, SM 118, SB 160, CS for CS for SB 188, SM 196, CS for SB 220, CS for SB 230, CS for CS for CS for SB 242, SB 356, CS for SB 360, CS for SB 448, SB 496, SB 506, SB 642.

The Committee on Community Affairs recommends the following pass: SB 1634

The bill was referred to the Committee on Military and Veterans Affairs, Space, and Domestic Security under the original reference.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Community Affairs recommends the following pass: CS for SB 582

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 516; SB 538; SB 996

The bills were referred to the Committee on Rules under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 776

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

The Committee on Banking and Insurance recommends the following pass: SB 308

The Committee on Community Affairs recommends the following pass: SB 320

The Committee on Education recommends the following pass: SB 514

The Committee on Rules recommends the following pass: CS for CS for SB 208; SM 476; SB 520; SM 658; SB 856; SB 1636

The bill was referred to Appropriations Subcommittee on Education under the original reference.

The bills were placed on the Calendar.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1184

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

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 1208

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

The Committee on Education recommends a committee substitute for the following: SB 1512

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1390

The bill with committee substitute attached was referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 1630

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: CS for SB 268; SB 1082

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

The Committee on Health Policy recommends a committee substitute for the following: SB 1014

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

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB's 130 and 122

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 1326

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

The Committee on Health Policy recommends a committee substitute for the following: SB 944

The Committee on Judiciary recommends a committee substitute for the following: SB 764

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 690

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

The Committee on Health Policy recommends a committee substitute for the following: SB 1306

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1344

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

The Committee on Community Affairs recommends committee substitutes for the following: SB 1318; SB 1442

The Committee on Health Policy recommends committee substitutes for the following: SB 840; SB 872

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 1140

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1150

The Committee on Community Affairs recommends a committee substitute for the following: SB 1106

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1138

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 972

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1556

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 612

The Committee on Education recommends a committee substitute for the following: SB 1400

The Committee on Health Policy recommends a committee substitute for the following: SB 824

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

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 654

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 786

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1654

The Committee on Education recommends a committee substitute for the following: CS for SB 1036

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 670

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Finance and Tax recommends the following pass: SB 806

The bill was referred to the Committee on Appropriations under the original reference.

Appropriations Subcommittee on Education recommends a committee substitute for the following: CS for SB 850

Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: SB 394; CS for SB 574

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Resolutions 1680-1688—Not introduced.

Senate Bills 1690-2504—Not used.

By the Committee on Governmental Oversight and Accountability—

SB 2506—A bill to be entitled An act relating to state-administered retirement systems; amending s. 112.363, F.S.; increasing the employer contribution to the retiree health insurance subsidy for members of a state-administered plan; amending s. 121.052, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Elected Officers' Class; amending s. 121.055, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Senior Management Service Class; amending s. 121.071, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Regular, Special Risk, and Special Risk Administrative Support Classes; amending s. 121.71, F.S.; revising the amount of employer contributions for the next fiscal year; amending s. 121.74, F.S.; revising terminology to refer to an employer assessment to offset the costs of administering the investment plan and providing education services; providing findings of important state interests; providing an effective date.

—was referred to the Committee on Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Criminal Justice; and Judiciary; and Senators Simmons, Smith, and Thompson—

CS for CS for SB's 130 and 122—A bill to be entitled An act relating to the use of deadly force; amending ss. 30.60 and 166.0485, F.S.; requiring the county sheriff or municipal police department to issue reasonable guidelines for the operation of neighborhood crime watch programs; providing that the guidelines are subject to reasonable exceptions; amending s. 776.032, F.S.; providing that a person who is justified in using force is immune from criminal prosecution and civil action initiated by the person against whom the force was used; revising the definition of the term "criminal prosecution"; clarifying that a law enforcement agency retains the authority and duty to fully investigate the use of force upon which an immunity may be claimed; providing that during a pretrial immunity hearing, the state bears the burden of proving by a preponderance of the evidence that the defendant's use of force was not lawful; amending s. 776.041, F.S.; providing that any reason, including immunity, used by an aggressor to justify the use of force is not available to the aggressor under specified circumstances; providing that provocation justifying the use of defensive force must include the use of force or the threat of the use of force; creating s. 776.09, F.S.; providing legislative intent relating to the justifiable use of force; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Health Policy; and Senators Grimsley and Diaz de la Portilla—

CS for CS for SB 268—A bill to be entitled An act relating to certificates of need; amending s. 408.034, F.S.; decreasing the subdistrict average occupancy rate that the Agency for Health Care Administration is required to maintain as a goal of its nursing-home-bed-need methodology; conforming a provision to changes made by the act; authorizing an applicant to aggregate the need of geographically contiguous subdistricts within a district for a proposed community nursing home under certain circumstances; requiring the proposed nursing home site to be located in the subdistrict with the greater need under certain circumstances; recognizing an additional positive application factor for an applicant who voluntarily relinquishes certain nursing home beds; requiring the applicant to demonstrate that it meets certain requirements; amending s. 408.036, F.S.; providing that, under certain circumstances, replacement of a nursing home and relocation of a portion of a nursing home's licensed beds to another facility, or to establish a new facility, is a health-care-related project subject to expedited review; conforming a cross-reference; revising the requirements for projects that are exempted from applying for a certificate of need; repealing s. 408.0435, F.S., relating to the moratorium on the approval of certificates of need for additional community nursing home beds; creating s. 408.0436, F.S.; prohibiting the agency from approving a certificate-of-need application for new community nursing home beds under certain circumstances; defining the term "batching cycle"; providing a repeal; providing an effective date.

By the Committees on Community Affairs; and Governmental Oversight and Accountability; and Senator Hays—

CS for CS for SB 612—A bill to be entitled An act relating to government contracting; amending s. 215.985, F.S.; revising information to be posted on the Chief Financial Officer's contract tracking system to conform to changes made by the act; amending s. 287.084, F.S.; preempting and superseding a local ordinance or regulation that gives preference for an award to a certified contractor under certain circumstances; requiring a university, college, county, municipality, school district, or other political subdivision to make specified disclosures in competitive solicitation documents; providing that a university, college, county, municipality, school district, or other political subdivision is not prohibited from awarding a contract to a vendor under certain circumstances; amending s. 287.1335, F.S.; defining terms; requiring agencies to provide the Department of Management Services with copies of vendor complaints and names of suspended and terminated vendors; authorizing local governmental entities to provide such information to the department; requiring the department to maintain certain information

regarding vendors on its website; requiring an agency to submit specified information to the department on a quarterly basis; authorizing a local governmental entity to submit such information on the same basis; requiring a vendor responding to an agency's competitive solicitation to disclose certain information; specifying certain requirements for considering a response to a competitive solicitation or entering a contract; providing an effective date.

By the Committees on Judiciary; and Commerce and Tourism; and Senators Clemens and Richter—

CS for CS for SB 654—A bill to be entitled An act relating to business organizations; amending s. 605.0112, F.S.; providing additional exceptions regarding the requirement that limited liability company names be distinguishable from the names of other entities or filings; specifying differences in names which are not considered distinguishable; designating part I of ch. 607, F.S., entitled "General Provisions"; amending s. 607.0101, F.S.; revising a provision to conform to changes made by the act; amending s. 607.0401, F.S.; providing additional exceptions regarding the requirement that corporate names be distinguishable; specifying differences in corporate names which are not considered distinguishable; amending s. 607.1302, F.S.; providing that the amendment of articles of incorporation or the merger, conversion, or share exchange of a social purpose or benefit corporation entitles the shareholders to appraisal rights; creating part II of ch. 607, F.S., entitled "Social Purpose Corporations"; creating s. 607.501, F.S.; providing application and effect; creating s. 607.502, F.S.; providing definitions; creating s. 607.503, F.S.; establishing requirements for the formation of a social purpose corporation; creating s. 607.504, F.S.; providing procedures for an existing corporation to become a social purpose corporation; creating s. 607.505, F.S.; providing procedures for the termination of a social purpose corporation status; creating s. 607.506, F.S.; requiring that the corporate purpose must be to create a public benefit; providing criteria; creating s. 607.507, F.S.; requiring that the directors of a social purpose corporation meet a standard of conduct; providing criteria for the standards; creating s. 607.508, F.S.; authorizing the articles of incorporation of a social purpose corporation to provide for a benefit director; providing powers and duties of a benefit director; creating s. 607.509, F.S.; requiring that the officers of a social purpose corporation meet a standard of conduct; providing criteria for the standards of conduct; creating s. 607.510, F.S.; authorizing a social purpose corporation to designate an officer as a benefit officer; providing for the powers and duties of a benefit officer; creating s. 607.511, F.S.; authorizing certain legal actions to be brought against a social purpose corporation, its officers, or its directors; creating s. 607.512, F.S.; requiring the board of directors to prepare an annual benefit report; providing criteria for the preparation of the report; creating s. 607.513, F.S.; establishing requirements for the availability and dissemination of the annual report; authorizing a court to order dissemination of the report; providing criteria; creating part III of ch. 607, F.S., entitled "Benefit Corporations"; creating s. 607.601, F.S.; providing for application and effect; creating s. 607.602, F.S.; providing definitions; creating s. 607.603, F.S.; establishing requirements for the formation of a benefit corporation; creating s. 607.604, F.S.; providing procedures for an existing corporation to become a benefit corporation; creating s. 607.605, F.S.; providing procedures for the termination of a benefit corporation status; creating s. 607.606, F.S.; requiring that the corporate purpose be to create a public benefit; providing criteria; creating s. 607.607, F.S.; requiring the directors of a benefit corporation to meet a standard of conduct; providing criteria for the standards; creating s. 607.608, F.S.; authorizing the articles of incorporation of a benefit corporation to provide for a benefit director; providing powers and duties of the benefit director; creating s. 607.609, F.S.; requiring the officers of a benefit corporation to meet a standard of conduct; providing criteria for the standards of conduct; creating s. 607.610, F.S.; authorizing a benefit corporation to designate an officer as a benefit officer; providing for the powers and duties of the benefit officer; creating s. 607.611, F.S.; authorizing certain legal actions to be brought against a benefit corporation, its officers, or its directors; creating s. 607.612, F.S.; requiring the board of directors to prepare an annual benefit report; providing criteria for the preparation of the report; creating s. 607.613, F.S.; establishing requirements for the availability and dissemination of the annual report; authorizing a court to order dissemination of the report; amending ss. 617.0401 and 620.1108, F.S.; providing additional exceptions regarding the requirement that the names of entities be distinguishable; specifying differences in names which are not considered distinguishable; amending ss. 48.091, 215.555,

243.54, 310.171, 310.181, 329.10, 339.412, 420.101, 420.111, 420.161, 440.02, 440.386, 609.08, 617.1908, 618.221, 619.04, 624.430, 624.462, 624.489, 628.041, 631.262, 636.204, 641.2015, 655.0201, 658.23, 658.2953, 658.30, 658.36, 663.03, 663.04, 663.301, 663.306, 663.313, 718.111, 719.104, 720.302, 720.306, 766.101, and 865.09, F.S.; conforming cross-references to changes made by the act; providing an effective date.

By the Committees on Judiciary; and Health Policy; and Senator Thrasher—

CS for CS for SB 670—A bill to be entitled An act relating to nursing home litigation; amending s. 400.023, F.S.; specifying that a cause of action for negligence or violation of residents' rights alleging direct or vicarious liability for the injury or death of a nursing home resident may be brought against a licensee, its management or consulting company, its managing employees, and any direct caregiver employees or contractors; providing that a cause of action may not be asserted against other individuals or entities except under certain circumstances; revising related judicial procedures; defining terms; amending s. 400.0237, F.S.; providing that a claim for punitive damages may not be brought unless there is a showing of evidence that provides a reasonable basis for recovery of such damages when certain criteria are applied; requiring the court to conduct a hearing to determine whether there is sufficient evidence to demonstrate that the recovery of punitive damages is warranted; requiring the trier of fact to find that a specific person or corporate defendant participated in or engaged in conduct that constituted gross negligence and contributed to the damages or injury suffered by the claimant before a defendant may be held liable for punitive damages; requiring an officer, director, or manager of the employer, corporation, or legal entity to condone, ratify, or consent to specified conduct before holding such person or entity vicariously liable for punitive damages; creating s. 400.024, F.S.; authorizing the Agency for Health Care Administration to revoke the license or deny a license renewal or change of ownership application of a nursing home facility that fails to pay a judgment or settlement agreement; providing for notification to the agency of such failure and for agency notification to the licensee of disciplinary action; providing licensee grounds for overcoming failure to pay; authorizing the agency to issue an emergency order and notice of intent to revoke or deny a license; authorizing the agency to deny a license renewal and requiring the agency to deny a change of ownership; amending s. 400.145, F.S.; revising procedures for obtaining the records of a resident; specifying which records may be obtained and who may obtain them; providing immunity from liability to a facility that provides such records in good faith; providing that the agency may not cite a facility that does not meet these records requirements; providing applicability; providing an effective date.

By the Committee on Health Policy; and Senator Diaz de la Portilla—

CS for SB 690—A bill to be entitled An act relating to involuntary examinations of minors; amending s. 381.0056, F.S.; redefining the term "emergency health needs"; amending s. 394.4599, F.S.; requiring a receiving facility to provide notice of the whereabouts of an adult or minor patient held for involuntary examination; providing minimum requirements for attempts at notification; requiring documentation of contact attempts; amending s. 1002.20, F.S.; requiring public schools to provide notice of the whereabouts of a student removed from school, school transportation, or a school-sponsored activity for involuntary examination; requiring district school boards to develop certain policies and procedures for notification; amending s. 1002.33, F.S.; requiring charter schools to provide notice of the whereabouts of a student removed from school, school transportation, or a school-sponsored activity for involuntary examination; requiring charter school governing boards to develop certain notification policies and procedures; providing an effective date.

By the Committee on Judiciary; and Senator Detert—

CS for SB 764—A bill to be entitled An act relating to hearsay; amending s. 90.803, F.S.; providing that certain statements are an exception to the hearsay rule and thus admissible; providing an effective date.

By the Committee on Community Affairs; and Senator Latvala—

CS for SB 786—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; revising the uses of the proceeds of the local government infrastructure surtax to include the maintenance of transportation infrastructure; revising the term “infrastructure”; authorizing a county to levy a homeless services and facilities surtax; defining “homeless services” and “homeless facilities”; requiring an ordinance, referendum, and voter approval; providing an effective date.

By the Committee on Health Policy; and Senators Joyner and Flores—

CS for SB 824—A bill to be entitled An act relating to hepatitis C testing; creating s. 381.0044, F.S.; providing definitions; requiring specified persons to be offered hepatitis C testing; requiring a health care practitioner to provide followup health care to persons who receive a positive test result; requiring the Department of Health to adopt rules and make standard hepatitis C information sheets available to health care practitioners; providing applicability with respect to hepatitis C testing by health care practitioners; requiring a report to the Governor and the Legislature; providing an effective date.

By the Committee on Health Policy; and Senator Richter—

CS for SB 840—A bill to be entitled An act relating to public records and meetings; amending s. 381.82, F.S.; providing an exemption from public records requirements for research grant applications submitted to the Alzheimer’s Disease Research Grant Advisory Board under the Ed and Ethel Moore Alzheimer’s Disease Research Program and records generated by the board relating to the review of the applications; providing an exemption from public meetings requirements for those portions of meetings of the board during which the research grant applications are discussed; requiring the recording of closed portions of meetings; authorizing disclosure of such confidential information under certain circumstances; providing for legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Health Policy; and Senators Richter and Soto—

CS for SB 872—A bill to be entitled An act relating to Alzheimer’s disease; amending s. 120.80, F.S.; exempting grant programs administered by the Alzheimer’s Disease Research Grant Advisory Board from the Administrative Procedure Act; amending s. 252.355, F.S.; requiring the Division of Emergency Management, in coordination with local emergency management agencies, to maintain a registry of persons with special needs; requiring the division to develop and maintain a special needs shelter registration program by a specified date; requiring specified agencies and authorizing specified health care providers to provide registration information to special needs clients or their caregivers and to assist emergency management agencies in registering persons for special needs shelters; amending s. 381.0303, F.S.; providing additional staffing requirements for special needs shelters; requiring special needs shelters to establish designated shelter areas for persons with Alzheimer’s disease or related forms of dementia; authorizing the Department of Health, in coordination with the division, to adopt rules relating to standards for the special needs registration program; creating s. 381.82, F.S.; establishing the Ed and Ethel Moore Alzheimer’s Disease Research Program within the department; requiring the program to provide grants and fellowships for research relating to Alzheimer’s disease; creating the Alzheimer’s Disease Research Grant Advisory Board; providing for appointment and terms of members; providing for organization, duties, and operating procedures of the board; requiring the department to provide staff to assist the board in carrying out its duties; requiring the board to annually submit recommendations for proposals to be funded; requiring a report to the Governor, Legislature, and State Surgeon General; providing that implementation of the program is subject to appropriation; amending s. 430.502, F.S.; requiring the Department of Elderly Affairs to develop minimum performance standards for memory disorder clinics to receive base-level annual funding; requiring the department to provide incentive-based funding, subject to appropriation, for certain memory disorder clinics; providing an effective date.

By the Committee on Health Policy; and Senator Sobel—

CS for SB 944—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotherapeutics for individuals receiving such medications in the jail before admission; amending s. 916.13, F.S.; providing timeframes within which competency hearings must be held; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; providing exceptions; amending s. 916.15, F.S.; providing a time-frame within which commitment hearings must be held; amending s. 985.19, F.S.; standardizing the protocols, procedures, diagnostic criteria, and information and findings that must be included in an expert’s competency evaluation report; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Galvano and Bradley—

CS for SB 972—A bill to be entitled An act relating to attorneys for dependent children with disabilities; creating s. 39.01305, F.S.; providing legislative findings and intent; requiring appointment of an attorney to represent a dependent child who meets one or more specified criteria; requiring the appointment to be in writing; requiring that the appointment continue in effect until the attorney is allowed to withdraw or is discharged by the court or until the case is dismissed; requiring that an attorney not acting in a pro bono capacity be adequately compensated for his or her services and have access to funding for certain costs; providing for financial oversight by the Justice Administrative Commission; providing a limit on attorney fees; providing applicability; providing an effective date.

By the Committee on Health Policy; and Senator Garcia—

CS for SB 1014—A bill to be entitled An act relating to pharmacy benefit managers; creating s. 465.1862, F.S.; defining terms; specifying contract terms that must be included in a contract between a pharmacy benefit manager and a pharmacy; providing restrictions on the inclusion of prescription drugs on a list that specifies the maximum allowable cost for such drugs; requiring the pharmacy benefit manager to disclose certain information to a plan sponsor; requiring a contract between a pharmacy benefit manager and a pharmacy to include an appeal process; providing an effective date.

By the Committees on Education; and Health Policy; and Senator Grimsley—

CS for CS for SB 1036—A bill to be entitled An act relating to nursing education programs; amending s. 464.003, F.S.; revising definitions; amending s. 464.013, F.S.; exempting nurses who are certified by an accredited program from continuing education requirements; amending s. 464.019, F.S.; specifying the location of clinical training; revising the limitation on the percentage of clinical training that consists of clinical simulation; deleting obsolete requirements; authorizing the Board of Nursing to adopt certain rules relating to documenting the accreditation of nursing education programs; deleting the requirement that the Office of Program Policy Analysis and Government Accountability participate in an implementation study and revising the terms of the study; requiring nursing education programs that prepare students for the practice of professional nursing to be accredited; providing an exception; amending s. 456.014, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Legg—

CS for SB 1082—A bill to be entitled An act relating to adult day care centers; amending s. 429.901, F.S.; defining the terms “adult day services” and “respite”; amending s. 429.907, F.S.; providing for operation of an adult day care center in a temporary location under certain conditions; providing notification requirements when a center relocates; authorizing the Agency for Health Care Administration to grant a conditional license to certain centers that relocate; providing license renewal and inspection requirements; revising exemptions for licensure; amending s. 429.911, F.S.; revising a ground for agency action against

the owner of a center or its operator or employee; amending s. 429.915, F.S.; authorizing the agency to issue a conditional license to a center that temporarily relocates; amending s. 429.917, F.S.; revising staff training requirements; requiring a center to provide certain disclosures; amending s. 429.931, F.S.; requiring a center to notify the agency before proceeding with building alterations under certain circumstances; amending s. 400.141, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Community Affairs; and Senator Simpson—

CS for SB 1106—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; providing an additional method for local governments to provide notices to alleged code enforcement violators; amending s. 514.03, F.S.; requiring application for an operating permit before filing an application for a building permit for a public swimming pool; amending s. 514.031, F.S.; providing additional requirements for obtaining a public swimming pool operating permit; amending s. 553.37, F.S.; specifying inspection criteria for construction or modification of manufactured buildings or modules; amending s. 553.721, F.S.; revising the allocation of funds from the building permit surcharge; amending s. 553.775, F.S.; authorizing building officials, local enforcement agencies, and the Florida Building Commission to interpret the Florida Accessibility Code for Building Construction; specifying procedures for such interpretations; deleting provisions relating to declaratory statements and interpretations of the Florida Accessibility Code for Building Construction, to conform; amending s. 553.79, F.S.; prohibiting a local enforcing agency from issuing a building permit for a public swimming pool without proof of application for an operating permit; requiring issuance of an operating permit before a certificate of completion or occupancy is issued; amending s. 553.841, F.S.; revising education and training requirements of the Florida Building Code Compliance and Mitigation Program; creating s. 553.883, F.S.; authorizing use of smoke alarms powered by 10-year nonremovable, non-replaceable batteries in certain circumstances; requiring use of such alarms by a certain date; amending s. 553.993, F.S.; revising the definition of the term “building energy-efficiency rating system” to require consistency with certain national standards for new construction and existing construction; providing for oversight; amending s. 633.202, F.S.; exempting certain tents from the Florida Fire Prevention Code; providing an effective date.

By the Committee on Agriculture; and Senator Evers—

CS for SB 1138—A bill to be entitled An act relating to the civil liability of farmers; amending s. 768.137, F.S.; expanding an existing exemption from civil liability for farmers who gratuitously allow a person to enter upon their land for the purpose of removing farm produce or crops left in the field after harvesting to include farmers who gratuitously allow a person to enter upon their land to remove any farm produce or crops; revising exceptions to the exemption from civil liability; providing an effective date.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Hays—

CS for SB 1140—A bill to be entitled An act relating to public records; creating s. 252.905, F.S.; creating an exemption from public records requirements for information furnished to the Division of Emergency Management by a person or business for the purpose of obtaining assistance with emergency planning; providing for retroactive application of the exemption; providing for future repeal and legislative review of the exemption; providing a statement of public necessity; providing an effective date.

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

CS for SB 1150—A bill to be entitled An act relating to medical tourism; amending s. 288.901, F.S.; requiring Enterprise Florida, Inc., to collaborate with the Department of Economic Opportunity to market this state as a health care destination; amending s. 288.923, F.S.; requiring the Division of Tourism Marketing to include in its 4-year plan a discussion of the promotion of medical tourism; creating s. 288.924, F.S.; requiring the plan to promote national and international awareness of

the qualifications, scope of services, and specialized expertise of health care providers in this state, to promote national and international awareness of certain business opportunities to attract practitioners to destinations in this state, and to include an initiative to showcase qualified health care providers; requiring a specified amount of funds appropriated to the Florida Tourism Industry Marketing Corporation to be allocated for the medical tourism marketing plan; requiring the Florida Tourism Industry Marketing Corporation to create a matching grant program; specifying criteria for the grant program; requiring that a specified amount of funds appropriated to the Florida Tourism Industry Marketing Corporation be allocated for the grant program; providing an effective date.

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

CS for SB 1184—A bill to be entitled An act relating to gasoline stations; amending s. 526.141, F.S.; requiring self-service gasoline pumps to display an additional decal containing specified information; requiring the Department of Agriculture and Consumer Services to confirm compliance by a specified date; providing for preemption of local laws and regulations pertaining to fueling assistance for certain motor vehicle operators; providing an effective date.

By the Committees on Health Policy; and Criminal Justice; and Senator Latvala—

CS for CS for SB 1208—A bill to be entitled An act relating to fraudulent controlled substance prescriptions; amending s. 893.13, F.S.; revising provisions prohibiting possession of incomplete prescription forms; providing enhanced criminal penalties for violations involving incomplete prescription forms; providing an effective date.

By the Committee on Health Policy; and Senator Altman—

CS for SB 1306—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.00655, F.S.; providing that an existing onsite sewage treatment and disposal system is not considered abandoned if the Department of Environmental Protection approves the use of all or a portion of the existing onsite sewage treatment and disposal system as an integral part of a sanitary sewer system.; providing an effective date.

By the Committee on Community Affairs; and Senator Evers—

CS for SB 1318—A bill to be entitled An act relating to public records and meetings; amending s. 287.05712, F.S.; defining the term “proprietary confidential business information”; creating an exemption from public records requirements for unsolicited proposals for a qualifying public-private project received by a responsible public entity for a specified period; providing that proprietary confidential business information in an unsolicited proposal remains confidential and exempt from public records requirements; creating an exemption from public meetings requirements for portions of meetings at which confidential and exempt information is discussed; requiring a recording to be made of a closed portion of a meeting; providing for future repeal and legislative review of the exemptions; providing statements of public necessity; providing an effective date.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Brandes—

CS for SB 1326—A bill to be entitled An act relating to emergency management; amending s. 70.001, F.S.; specifying the availability of a cause of action with respect to a governmental entity implementing a Flood Insurance Rate Map; amending s. 252.34, F.S.; defining the term “state flood risk analysis”; amending s. 252.35, F.S.; revising the duties of the Division of Emergency Management to conform to changes made by the act; creating s. 252.441, F.S.; providing legislative findings; requiring the division to contract for a flood risk analysis; prescribing requirements for the risk analysis; requiring the division to award the contract in accordance with competitive solicitation requirements; requiring the division to submit a report of the risk analysis results to the Governor and the Legislature by a specified date; providing that the

Legislature may authorize annual updates to the risk analysis; creating s. 252.9335, F.S.; exempting state employees from specified travel expense provisions when traveling under the Emergency Management Assistance Compact pursuant to a request for assistance from another state under certain circumstances; providing appropriations; providing an effective date.

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

CS for SB 1344—A bill to be entitled An act relating to insurance association appointments; amending ss. 627.351 and 766.315, F.S.; revising the entities that make recommendations to the Chief Financial Officer for appointment to the board of governors of the Joint Underwriting Association and the board of directors of the Florida Birth-Related Neurological Injury Compensation Association; providing an effective date.

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

CS for SB 1390—A bill to be entitled An act relating to bail bond premiums; amending s. 624.4094, F.S.; deleting a provision relating to the reporting or payment of specified insurance premium taxes; amending s. 624.509, F.S.; requiring an insurer to pay to the Department of Revenue a specified amount of the direct written premiums for bail bonds; providing an effective date.

By the Committee on Education; and Senator Latvala—

CS for SB 1400—A bill to be entitled An act relating to postsecondary student tuition; amending ss. 1009.22 and 1009.23, F.S.; revising the standard tuition and out-of-state fees for workforce education postsecondary programs leading to certain certificates and diplomas and certain other programs at Florida College System institutions; deleting a provision relating to an increase in tuition and out-of-state fees at a rate equal to inflation; deleting a requirement that the Office of Economic and Demographic Research annually report the rate of inflation to the Governor, the Legislature, and the State Board of Education; deleting the definition of the term “rate of inflation”; amending s. 1009.24, F.S.; deleting a provision related to an increase of the resident undergraduate tuition at state universities at a rate equal to inflation; deleting the requirement of the Office of Economic and Demographic Research to annually report the rate of inflation to the Governor, the Legislature, and the Board of Governors; deleting the definition of the term “rate of inflation”; conforming provisions to changes made by the act; prohibiting a state university board of trustees from establishing or increasing the tuition differential for undergraduate courses; amending s. 1009.26, F.S.; requiring a state university, a Florida College System institution, a career center operated by a school district, or a charter technical career center to waive undergraduate tuition for a recipient of a Purple Heart or another combat decoration superior in precedence under certain conditions; requiring a state university, a Florida College System institution, a career center operated by a school district, and a charter technical career center to waive out-of-state fees for certain students who attended a secondary school in this state; requiring a state university, a Florida College System institution, a career center operated by a school district, and a charter technical career center to report to the Board of Governors and the State Board of Education, respectively, the number and value of all fee waivers; requiring a state university, a Florida College System institution, a career center operated by a school district, and a charter technical career center to annually certify within its legislative budget request that the percentage of resident students enrolled systemwide is at least the same as the resident student enrollment systemwide in a specified academic year; providing that a student who is undocumented for federal immigration purposes is not eligible for state financial aid; amending s. 1009.98, F.S.; redefining the term “tuition differential”; revising the purchase date of an advance payment contract as it relates to the amount paid by the Florida Prepaid College Board to a state university on behalf of a qualified beneficiary; prohibiting the amount of the aggregate sum of registration fees, the tuition differential fee, and local fees paid by the board to a state university on behalf of a qualified beneficiary of an advance payment contract from exceeding a certain percentage of the amount charged by the state university for the aggregate sum of those fees; prohibiting the amount of the dormitory fees paid for by the board to a state university on behalf of a qualified beneficiary of an advance payment contract from exceeding a certain

percentage of the amount charged by the state university for those fees; conforming provisions to changes made by the act; prohibiting certain dependent children from being denied residency classification for tuition purposes based solely on a parent’s undocumented immigration status; providing an effective date.

By the Committee on Community Affairs; and Senator Bradley—

CS for SB 1442—A bill to be entitled An act relating to publicly funded retirement programs; amending s. 175.041, F.S.; revising applicability of the Marvin B. Clayton Firefighters Pension Trust Fund Act; providing that any municipality that provides fire protection services to a municipal services taxing unit under an interlocal agreement is eligible to receive property insurance premium taxes; amending s. 175.101, F.S.; authorizing a municipal services taxing unit that enters into an interlocal agreement for fire protection services with another municipality to impose an excise tax on property insurance premiums; amending s. 175.111, F.S.; requiring municipal services taxing units to provide the Division of Retirement of the Department of Management Services with a certified copy of the ordinance assessing and imposing certain taxes; amending ss. 175.122 and 175.351, F.S.; revising provisions relating to the limitation of disbursement to conform to changes made by the act; amending s. 175.411, F.S.; authorizing a municipal services taxing unit, under certain conditions, to revoke its participation and cease to receive property insurance premium taxes; providing an effective date.

By the Committee on Education; and Senators Stargel, Thrasher, Gardiner, and Galvano—

CS for SB 1512—A bill to be entitled An act relating to students with disabilities; creating s. 1002.385, F.S.; establishing the Florida Personalized Accounts for Learning; defining terms; specifying criteria for students who are eligible to participate in the program; identifying certain students who are not eligible to participate in the program; authorizing the use of awarded funds for specific purposes; prohibiting specific providers, schools, institutions, school districts, and other entities from sharing, refunding, or rebating program funds; specifying the terms of the program; requiring a school district to notify the parent regarding the option to participate in the program; specifying the school district’s responsibilities for completing a matrix of services and notifying the Department of Education of the completion of the matrix; requiring the department to notify the parent regarding the amount of the awarded funds; authorizing the school district to change the matrix under certain circumstances; requiring the school district in which a student resides to provide locations and times to take all statewide assessments; requiring the school district to notify parents of the availability of a reevaluation; specifying the duties of the Department of Education relating to the program; requiring the Commissioner of Education to deny, suspend, or revoke participation in the program or use of program funds under certain circumstances; providing additional factors under which the commissioner may deny, suspend, or revoke a participation in the program or program funds; requiring a parent to sign an agreement with the Department of Education to enroll his or her child in the program which specifies the responsibilities of a parent or student for using funds in an account and for submitting a compliance statement to the department; providing that a parent who fails to comply with the responsibilities of the agreement forfeits the personalized account for learning; providing for funding and payments; requiring the department to request from the Department of Financial Services a sample of payments from the authorized financial institution for specified purposes; providing for the closing of a student’s account and reversion of funds to the state; requiring the department to make payments to the personalized accounts for learning at the authorized financial institution, select an authorized financial institution through a competitive bidding process to administer the personalized accounts for learning, and require audits of the authorized financial institution’s personalized accounts for learning; requiring the Chief Financial Officer to conduct audits; providing that the state is not liable for the award or use of awarded funds; providing for the scope of authority of the act; requiring the State Board of Education to adopt rules to administer the program; amending s. 1003.4282, F.S.; providing standard high school diploma requirements for certain students with an intellectual disability or cognitive disability; authorizing certain students with disabilities to continue to receive certain instructions and services; requiring an in-

dependent review and a parent's approval to waive statewide, standardized assessment requirements by the IEP team; repealing s. 1003.438, F.S., relating to special high school graduation requirements for certain exceptional students; creating s. 1003.5716, F.S.; providing that certain students with disabilities have a right to free, appropriate public education; requiring an individual education plan (IEP) team to begin the process of, and to develop an IEP for, identifying transition services needs for a student with a disability before the student attains a specified age; providing requirements for the process; requiring certain statements to be included and annually updated in the IEP; providing that changes in the goals specified in an IEP are subject to independent review and parental approval; requiring the school district to reconvene the IEP team to identify alternative strategies to meet transition objectives if a participating agency fails to provide transition services specified in the IEP; providing that the agency's failure does not relieve the agency of the responsibility to provide or pay for the transition services that the agency otherwise would have provided; amending s. 1003.572, F.S.; prohibiting a school district from charging fees or imposing additional requirements on private instructional personnel; creating s. 1008.2121, F.S.; requiring the Commissioner of Education to permanently exempt certain students with disabilities from taking statewide, standardized assessments; requiring the State Board of Education to adopt rules; amending s. 1008.25, F.S.; requiring written notification relating to portfolios to a parent of a student with a substantial reading deficiency; requiring a student promoted to a certain grade with a good cause exemption to receive intensive reading instruction and intervention; requiring a school district to assist schools and teachers with the implementation of reading strategies; revising good cause exemptions; amending ss. 120.81, 409.1451, and 1007.263, F.S.; conforming cross-references; providing effective dates.

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

CS for SB 1556—A bill to be entitled An act relating to subsurface rights; creating s. 689.29, F.S.; requiring a seller to provide a prospective purchaser with a subsurface rights disclosure summary; providing the form for the disclosure summary; requiring the disclosure summary to be included in, or incorporated by reference in, the contract for sale; defining the term “subsurface rights”; defining the term “seller”; providing an effective date.

By the Committee on Agriculture; and Senator Montford—

CS for SB 1630—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 282.709, F.S.; adding a representative to the Joint Task Force on State Agency Law Enforcement Communications, to be appointed by the Commissioner of Agriculture; transferring, renumbering, and amending s. 570.0741, F.S., relating to the energy efficiency and conservation clearinghouse; deleting an obsolete provision; amending s. 379.361, F.S.; requiring a person to retake an educational seminar when renewing an Apalachicola Bay oyster harvesting license; amending s. 487.041, F.S.; requiring a registrant to continue the registration of a brand of pesticide that continues to remain on retailers' shelves in this state under certain circumstances; amending ss. 487.046 and 487.048, F.S.; authorizing applications for certain licenses to be submitted through the department's website; amending s. 487.159, F.S.; deleting the requirements for filing statements claiming damages and injuries from pesticide application; amending s. 487.160, F.S.; requiring all licensed private applicators to keep the same records as licensed public applicators and licensed commercial applicators with respect to the application of restricted pesticides; amending s. 487.2031, F.S.; revising the term “material safety data sheet”; amending s. 487.2051, F.S.; revising requirements for pesticide fact sheets and safety data sheets; amending s. 493.6120, F.S.; authorizing the department to impose certain civil penalties for violations relating to private security, investigative, and repossession services; transferring and renumbering s. 570.545, F.S., relating to unsolicited goods; amending s. 500.03, F.S.; revising the definition of the term “food establishment”; amending s. 500.12, F.S.; revising the exemption from permit requirements for minor food outlets; requiring an establishment to apply for and receive a permit prior to the commencement of operations; requiring the department to adopt a schedule of fees to be paid by each food establishment and retail food store; providing that food permits are not transferable; updating terminology; amending s. 500.121, F.S.; authorizing the department to

order the immediate closure of certain establishments upon determination that the establishment presents a severe and immediate threat to the public health, safety, and welfare; specifying the procedure the department must use in ordering immediate closure; conforming provisions to changes made by the act; providing criminal penalties; authorizing the department to adopt rules; amending s. 500.147, F.S.; authorizing the department to inspect food records to facilitate tracing of food products in certain circumstances; amending s. 500.165, F.S.; revising the administrative fine amount for violating provisions relating to transporting shipments of food items; amending s. 500.172, F.S.; authorizing the department to issue and enforce a stop-sale, stop-use, removal, or hold order for certain food-processing or food storage areas; amending s. 501.019, F.S.; revising the administrative fine amount for violations relating to health studios; amending s. 501.059, F.S.; authorizing the department to adopt rules; conforming provisions to changes made by the act; amending s. 501.922, F.S.; revising the administrative fine amount for certain violations relating to the “Anti-freeze Act”; creating s. 501.977, F.S.; providing that certain acts relating to livery services are unfair or deceptive regulatory acts or practices; transferring, renumbering, and amending s. 570.42, F.S., relating to the Dairy Industry Technical Council; conforming a cross-reference; creating part I of ch. 570, F.S., entitled “General Provisions”; renumbering and amending s. 570.14, F.S., relating to the seal of the department; restricting the seal of the department from being used without written approval by the department; renumbering ss. 570.18 and 570.16, F.S., relating to organization of departmental work and the interference with department employees, respectively; amending s. 570.07, F.S.; conforming a cross-reference; transferring and renumbering ss. 570.17 and 570.531, F.S., relating to the regulatory work of the state relating to the protection of agricultural interests and the Market Improvements Working Capital Trust Fund, respectively; amending s. 570.23, F.S.; conforming a cross-reference; renumbering s. 570.0705, F.S., relating to advisory committees; creating part II of ch. 570, F.S., entitled “Program Services”; amending s. 570.36, F.S.; making a technical change; amending s. 570.44, F.S.; revising the duties of the Division of Agricultural Environmental Services; amending s. 570.45, F.S.; conforming provisions to changes made by the act; amending s. 570.451, F.S.; conforming a cross-reference; amending ss. 570.50 and 570.51, F.S.; conforming provisions to changes made by the act; amending s. 570.543, F.S.; conforming a cross-reference; renumbering s. 570.073, F.S., relating to the Office of Agricultural Law Enforcement; renumbering and amending s. 570.074, F.S.; requiring the Office of Agricultural and Water Policy to enforce and implement ch. 582, F.S., and rules relating to soil and water conservation; creating s. 570.67, F.S.; codifying the creation of the Office of Energy; providing for management and specifying duties; renumbering s. 570.951, F.S., relating to the Florida Agriculture Center and Horse Park; renumbering and amending s. 570.952, F.S., relating to the Florida Agricultural Center and Horse Park Authority; conforming provisions to changes made by the act; deleting obsolete provisions; renumbering s. 570.953, F.S., relating to the identity of donors to the Florida Agriculture Center and Horse Park Authority; renumbering and amending s. 570.902, F.S., relating to definitions; conforming provisions to changes made by the act; renumbering ss. 570.903, 570.901, and 570.91, F.S., relating to direct-support organizations, the Florida Agricultural Museum, and Florida agriculture in the classroom, respectively; creating part III of ch. 570, F.S., entitled “Agricultural Development”; amending s. 570.71, F.S.; authorizing the department to use certain funds for administrative and operating expenses related to appraisals, mapping, title process, personnel, and other real estate expenses; renumbering s. 570.241, F.S., relating to the Agricultural Economic Development Act; renumbering and amending s. 570.242, F.S., relating to the Agricultural Economic Development Act; removing the definition of the terms “commissioner” and “department”; renumbering ss. 570.243, 570.244, 570.245, 570.246, F.S., relating to the Agricultural Economic Development Program, the powers of the department, interaction with other economic development agencies and groups, and agricultural economic development funding, respectively; renumbering and amending s. 570.247, F.S., relating to certain department rules; deleting obsolete provisions; renumbering ss. 570.248 and 570.249, F.S., relating to the Agricultural Economic Development and Project Review Committee and disaster loans and grants and aid, respectively; renumbering and amending s. 570.9135, F.S., relating to the Beef Market Development Act; conforming cross-references; making technical changes; renumbering ss. 570.954 and 570.96, F.S., relating to the farm-to-fuel initiative and agritourism, respectively; renumbering and amending s. 570.961, F.S., relating to definitions; conforming cross-references; renumbering s. 570.962, F.S., relating to agritourism participation impact on land

classification; renumbering and amending s. 570.963, F.S., relating to liability; conforming a cross-reference; renumbering and amending s. 570.964, F.S., relating to posting and notification requirements for agritourism operators; conforming provisions to changes made by the act; creating part IV of ch. 570, F.S., entitled "Agricultural Water Policy"; renumbering s. 570.075, F.S., relating to water supply agreements; renumbering and amending s. 570.076, F.S., relating to Environmental Stewardship Certification; conforming a cross-reference; renumbering ss. 570.085 and 570.087, F.S., relating to agricultural water conservation and agricultural water supply planning and best management practices for wildlife, respectively; creating part V of ch. 570, F.S., entitled "Penalties"; creating s. 570.971, F.S.; providing administrative fines and civil penalties; authorizing the department to refuse to issue or renew a license, permit, authorization, certificate, or registration under certain circumstances; authorizing the department to adopt rules; amending s. 576.021, F.S.; updating terminology; authorizing applications for registration for specialty fertilizers to be submitted using the department's website; making technical changes; amending s. 576.031, F.S.; revising labeling requirements for distribution of fertilizer in bulk; amending s. 576.041, F.S.; removing surety bond and certificate of deposit requirements for fertilizer license applicants; amending s. 576.051, F.S.; extending the period of retention for an official check sample; amending s. 576.061, F.S.; deleting the penalty imposed when it is determined by the department that a fertilizer has been distributed without being licensed or registered, or without labeling; conforming provisions to changes made by the act; making technical changes; amending s. 576.071, F.S.; requiring the department to survey the fertilizer industry of this state to determine the commercial value used in assessing penalties for a deficiency; amending s. 576.087, F.S.; deleting certain requirements relating to antisiphon devices; amending s. 576.101, F.S.; deleting the department's authorization to place a licensee on probationary status under certain circumstances; amending s. 578.08, F.S.; deleting the requirement that the application for registration as a seed dealer include the name and location of each place of business at which the seed is sold, distributed, offered, exposed, or handled for sale; requiring the application to be made by submitting a form prescribed by department rule or using the department's website; establishing a registration fee for receipts of certain amounts; amending s. 580.036, F.S.; requiring that standards for the sale, use, and distribution of commercial feed or feedstuff, if adopted, be developed in consultation with the Agricultural Feed, Seed, and Fertilizer Advisory Council; amending s. 580.041, F.S.; removing the requirement that the master registration form for each distributor of commercial feed identify the manufacturer's or guarantor's name and place of business and the location of each manufacturing facility; revising the requirement that the department must mail a copy of the master registration in order to signify that the administrative requirements have been met; amending s. 580.071, F.S.; providing additional factors that would make a commercial feed or feedstuff be deemed adulterated; amending s. 581.091, F.S.; deleting the definition of the term "commercial citrus grove"; deleting provisions relating to special permits authorizing a person to plant *Casuarina cunninghamiana* as part of a pilot program; eliminating a requirement that the department develop and implement a monitoring protocol to determine invasiveness of *Casuarina cunninghamiana*; amending s. 581.131, F.S.; revising the time in which the department must provide certain notice and certificate renewal forms; amending s. 583.01, F.S.; redefining the term "dealer"; transferring, renumbering, and amending s. 570.38, F.S., relating to the Animal Industry Technical Council; conforming a cross-reference; amending s. 589.08, F.S.; requiring the Florida Forest Service to pay a certain percentage of the gross receipts from the Goethe State Forest to each fiscally constrained county; requiring such funds to be equally divided between the board of county commissioners and the school board; amending s. 589.011, F.S.; providing conditions under which the Florida Forest Service is authorized to grant use of certain lands; limiting liability for lessees of specified lands; providing criteria by which the Florida Forest Service determines certain fees, rentals, and charges; amending s. 589.20, F.S.; authorizing the Florida Forest Service to cooperate with water management districts, municipalities, and other governmental entities; amending s. 590.02, F.S.; renaming the Florida Center for Wildfire and Forest Resources Management Training as the Withlacoochee Training Center; making technical changes; amending s. 590.125, F.S.; providing that new authorization is not required for smoldering that occurs within the authorized burn area unless new ignitions are conducted by certain persons; providing that monitoring the smoldering activity of a burn does not require an additional authorization; transferring and renumbering s. 570.0725, F.S., relating to food recovery; amending s. 597.003, F.S.; amending the powers and duties of

the department to include providing training as necessary to lessees of certain lands for aquaculture use; amending s. 597.004, F.S.; requiring an applicant for an aquaculture certificate to submit a certificate of training if required; amending s. 597.020, F.S.; authorizing the department to adopt training requirements for shellfish processors by rule; transferring and renumbering ss. 570.481 and 570.55, F.S., relating to food recovery, fruit and vegetable inspection fees, and identification of sellers or handlers of tropical or subtropical fruit and vegetables, respectively; amending s. 604.16, F.S.; providing an exemption for certain dealers in agricultural products from certain requirements; amending s. 604.22, F.S.; revising certain penalties for dealers in agricultural products; repealing s. 487.172, F.S., relating to an educational program for organotin compounds in antifouling paints; repealing ss. 500.301, 500.302, 500.303, 500.304, 500.305, 500.306, F.S., relating to the standards of enrichment, sales, enforcement, and inspection of certain grain products; repealing s. 500.601, F.S., relating to the retail sale of meat; repealing s. 570.345, F.S., relating to the Pest Control Compact; repealing s. 570.542, F.S., relating to the Florida Consumer Services Act; repealing s. 570.72, F.S., relating to a definition; repealing s. 570.92, F.S., relating to an equestrian educational sports program; repealing s. 589.081, F.S., relating to the Withlacoochee State Forest and Goethe State Forest; repealing s. 590.091, F.S., relating to the designation of railroad rights-of-way as wildfire hazard areas; amending ss. 193.461, 253.74, 288.1175, 320.08058, 373.621, 373.709, 381.0072, 388.46, 472.0351, 472.036, 482.161, 482.165, 482.243, 487.047, 487.091, 487.175, 493.6118, 496.420, 500.70, 501.612, 501.619, 502.231, 507.09, 507.10, 509.032, 525.16, 526.311, 526.55, 527.13, 531.50, 534.52, 539.001, 559.921, 559.9355, 559.936, 571.11, 571.28, 571.29, 578.181, 580.121, 581.141, 581.186, 581.211, 582.06, 585.007, 586.15, 586.161, 590.14, 595.701, 597.0041, 599.002, 601.67, 604.30, 616.242, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Commerce and Tourism; and Appropriations—

CS for SB 1654—A bill to be entitled An act relating to tax administration; amending s. 196.1995, F.S.; requiring certain real property improvements and tangible personal property additions to occur within a specified period in order to qualify for a specified ad valorem tax exemption; providing that certain local ordinances conveying ad valorem tax exemptions may not be invalidated if the local governing body acted in accordance with this act; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; providing monetary and criminal penalties for a dealer's willful failure to collect certain taxes or fees after receiving notice of such duty to collect from the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after Department of Revenue notice of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; modifying the definition of the term "person"; authorizing the department to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; providing criminal penalties for a person who willfully fails to register as a dealer after receiving notice of such duty by the department; making technical and grammatical changes; reenacting s. 212.20, F.S., relating to the disposition of funds collected, to incorporate changes made by the act; amending s. 213.0535, F.S.; clarifying that confidential tax data may be published as statistics under certain circumstances; amending s. 213.13, F.S.; revising the date for transmitting funds collected by the clerks of court to the department; amending s. 213.21, F.S.; increasing the compromise authority for closing agreements with taxpayers which can be delegated to and approved by the executive director; creating s. 213.295, F.S., relating to automated sales suppression devices; defining terms; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving a sales suppression device or phantom-ware; providing that sales suppression devices and phantom-ware are contraband articles under the Florida Contraband Forfeiture Act; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of reemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due employer contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; increasing

the number of days for an employer to protest an assessment; providing effective dates.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Criminal Justice; and Judiciary; and Senators Simmons, Smith, and Thompson—

CS for CS for SB's 130 and 122—A bill to be entitled An act relating to the use of deadly force; amending ss. 30.60 and 166.0485, F.S.; requiring the county sheriff or municipal police department to issue reasonable guidelines for the operation of neighborhood crime watch programs; providing that the guidelines are subject to reasonable exceptions; amending s. 776.032, F.S.; providing that a person who is justified in using force is immune from criminal prosecution and civil action initiated by the person against whom the force was used; revising the definition of the term “criminal prosecution”; clarifying that a law enforcement agency retains the authority and duty to fully investigate the use of force upon which an immunity may be claimed; providing that during a pretrial immunity hearing, the state bears the burden of proving by a preponderance of the evidence that the defendant’s use of force was not lawful; amending s. 776.041, F.S.; providing that any reason, including immunity, used by an aggressor to justify the use of force is not available to the aggressor under specified circumstances; providing that provocation justifying the use of defensive force must include the use of force or the threat of the use of force; creating s. 776.09, F.S.; providing legislative intent relating to the justifiable use of force; providing an effective date.

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

By the Committee on Agriculture; and Senator Montford—

CS for SB 1630—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 282.709, F.S.; adding a representative to the Joint Task Force on State Agency Law Enforcement Communications, to be appointed by the Commissioner of Agriculture; transferring, renumbering, and amending s. 570.0741, F.S., relating to the energy efficiency and conservation clearinghouse; deleting an obsolete provision; amending s. 379.361, F.S.; requiring a person to retake an educational seminar when renewing an Apalachicola Bay oyster harvesting license; amending s. 487.041, F.S.; requiring a registrant to continue the registration of a brand of pesticide that continues to remain on retailers’ shelves in this state under certain circumstances; amending ss. 487.046 and 487.048, F.S.; authorizing applications for certain licenses to be submitted through the department’s website; amending s. 487.159, F.S.; deleting the requirements for filing statements claiming damages and injuries from pesticide application; amending s. 487.160, F.S.; requiring all licensed private applicators to keep the same records as licensed public applicators and licensed commercial applicators with respect to the application of restricted pesticides; amending s. 487.2031, F.S.; revising the term “material safety data sheet”; amending s. 487.2051, F.S.; revising requirements for pesticide fact sheets and safety data sheets; amending s. 493.6120, F.S.; authorizing the department to impose certain civil penalties for violations relating to private security, investigative, and repossession services; transferring and renumbering s. 570.545, F.S., relating to unsolicited goods; amending s. 500.03, F.S.; revising the definition of the term “food establishment”; amending s. 500.12, F.S.; revising the exemption from permit requirements for minor food outlets; requiring an establishment to apply for and receive a permit prior to the commencement of operations; requiring the department to adopt a schedule of fees to be paid by each food establishment and retail food store; providing that food permits are not transferable; updating terminology; amending s. 500.121, F.S.; authorizing the department to order the immediate closure of certain establishments upon determination that the establishment presents a severe and immediate threat to the public health, safety, and welfare; specifying the procedure the department must use in ordering immediate closure; conforming provisions to changes made by the act; providing criminal penalties; authorizing the department to adopt rules; amending s. 500.147, F.S.; authorizing the department to inspect food records to facilitate tracing of food products in certain circumstances; amending s. 500.165, F.S.; revising the administrative fine amount for violating provisions relating to

transporting shipments of food items; amending s. 500.172, F.S.; authorizing the department to issue and enforce a stop-sale, stop-use, removal, or hold order for certain food-processing or food storage areas; amending s. 501.019, F.S.; revising the administrative fine amount for violations relating to health studios; amending s. 501.059, F.S.; authorizing the department to adopt rules; conforming provisions to changes made by the act; amending s. 501.922, F.S.; revising the administrative fine amount for certain violations relating to the “Anti-freeze Act”; creating s. 501.977, F.S.; providing that certain acts relating to livery services are unfair or deceptive regulatory acts or practices; transferring, renumbering, and amending s. 570.42, F.S., relating to the Dairy Industry Technical Council; conforming a cross-reference; creating part I of ch. 570, F.S., entitled “General Provisions”; renumbering and amending s. 570.14, F.S., relating to the seal of the department; restricting the seal of the department from being used without written approval by the department; renumbering ss. 570.18 and 570.16, F.S., relating to organization of departmental work and the interference with department employees, respectively; amending s. 570.07, F.S.; conforming a cross-reference; transferring and renumbering ss. 570.17 and 570.531, F.S., relating to the regulatory work of the state relating to the protection of agricultural interests and the Market Improvements Working Capital Trust Fund, respectively; amending s. 570.23, F.S.; conforming a cross-reference; renumbering s. 570.0705, F.S., relating to advisory committees; creating part II of ch. 570, F.S., entitled “Program Services”; amending s. 570.36, F.S.; making a technical change; amending s. 570.44, F.S.; revising the duties of the Division of Agricultural Environmental Services; amending s. 570.45, F.S.; conforming provisions to changes made by the act; amending s. 570.451, F.S.; conforming a cross-reference; amending ss. 570.50 and 570.51, F.S.; conforming provisions to changes made by the act; amending s. 570.543, F.S.; conforming a cross-reference; renumbering s. 570.073, F.S., relating to the Office of Agricultural Law Enforcement; renumbering and amending s. 570.074, F.S.; requiring the Office of Agricultural and Water Policy to enforce and implement ch. 582, F.S., and rules relating to soil and water conservation; creating s. 570.67, F.S.; codifying the creation of the Office of Energy; providing for management and specifying duties; renumbering s. 570.951, F.S., relating to the Florida Agriculture Center and Horse Park; renumbering and amending s. 570.952, F.S., relating to the Florida Agricultural Center and Horse Park Authority; conforming provisions to changes made by the act; deleting obsolete provisions; renumbering s. 570.953, F.S., relating to the identity of donors to the Florida Agriculture Center and Horse Park Authority; renumbering and amending s. 570.902, F.S., relating to definitions; conforming provisions to changes made by the act; renumbering ss. 570.903, 570.901, and 570.91, F.S., relating to direct-support organizations, the Florida Agricultural Museum, and Florida agriculture in the classroom, respectively; creating part III of ch. 570, F.S., entitled “Agricultural Development”; amending s. 570.71, F.S.; authorizing the department to use certain funds for administrative and operating expenses related to appraisals, mapping, title process, personnel, and other real estate expenses; renumbering s. 570.241, F.S., relating to the Agricultural Economic Development Act; renumbering and amending s. 570.242, F.S., relating to the Agricultural Economic Development Act; removing the definition of the terms “commissioner” and “department”; renumbering ss. 570.243, 570.244, 570.245, 570.246, F.S., relating to the Agricultural Economic Development Program, the powers of the department, interaction with other economic development agencies and groups, and agricultural economic development funding, respectively; renumbering and amending s. 570.247, F.S., relating to certain department rules; deleting obsolete provisions; renumbering ss. 570.248 and 570.249, F.S., relating to the Agricultural Economic Development and Project Review Committee and disaster loans and grants and aid, respectively; renumbering and amending s. 570.9135, F.S., relating to the Beef Market Development Act; conforming cross-references; making technical changes; renumbering ss. 570.954 and 570.96, F.S., relating to the farm-to-fuel initiative and agritourism, respectively; renumbering and amending s. 570.961, F.S., relating to definitions; conforming cross-references; renumbering s. 570.962, F.S., relating to agritourism participation impact on land classification; renumbering and amending s. 570.963, F.S., relating to liability; conforming a cross-reference; renumbering and amending s. 570.964, F.S., relating to posting and notification requirements for agritourism operators; conforming provisions to changes made by the act; creating part IV of ch. 570, F.S., entitled “Agricultural Water Policy”; renumbering s. 570.075, F.S., relating to water supply agreements; renumbering and amending s. 570.076, F.S., relating to Environmental Stewardship Certification; conforming a cross-reference; renumbering ss. 570.085 and 570.087, F.S., relating to agricultural water conservation

and agricultural water supply planning and best management practices for wildlife, respectively; creating part V of ch. 570, F.S., entitled "Penalties"; creating s. 570.971, F.S.; providing administrative fines and civil penalties; authorizing the department to refuse to issue or renew a license, permit, authorization, certificate, or registration under certain circumstances; authorizing the department to adopt rules; amending s. 576.021, F.S.; updating terminology; authorizing applications for registration for specialty fertilizers to be submitted using the department's website; making technical changes; amending s. 576.031, F.S.; revising labeling requirements for distribution of fertilizer in bulk; amending s. 576.041, F.S.; removing surety bond and certificate of deposit requirements for fertilizer license applicants; amending s. 576.051, F.S.; extending the period of retention for an official check sample; amending s. 576.061, F.S.; deleting the penalty imposed when it is determined by the department that a fertilizer has been distributed without being licensed or registered, or without labeling; conforming provisions to changes made by the act; making technical changes; amending s. 576.071, F.S.; requiring the department to survey the fertilizer industry of this state to determine the commercial value used in assessing penalties for a deficiency; amending s. 576.087, F.S.; deleting certain requirements relating to antisiphon devices; amending s. 576.101, F.S.; deleting the department's authorization to place a licensee on probationary status under certain circumstances; amending s. 578.08, F.S.; deleting the requirement that the application for registration as a seed dealer include the name and location of each place of business at which the seed is sold, distributed, offered, exposed, or handled for sale; requiring the application to be made by submitting a form prescribed by department rule or using the department's website; establishing a registration fee for receipts of certain amounts; amending s. 580.036, F.S.; requiring that standards for the sale, use, and distribution of commercial feed or feedstuff, if adopted, be developed in consultation with the Agricultural Feed, Seed, and Fertilizer Advisory Council; amending s. 580.041, F.S.; removing the requirement that the master registration form for each distributor of commercial feed identify the manufacturer's or guarantor's name and place of business and the location of each manufacturing facility; revising the requirement that the department must mail a copy of the master registration in order to signify that the administrative requirements have been met; amending s. 580.071, F.S.; providing additional factors that would make a commercial feed or feedstuff be deemed adulterated; amending s. 581.091, F.S.; deleting the definition of the term "commercial citrus grove"; deleting provisions relating to special permits authorizing a person to plant *Casuarina cunninghamiana* as part of a pilot program; eliminating a requirement that the department develop and implement a monitoring protocol to determine invasiveness of *Casuarina cunninghamiana*; amending s. 581.131, F.S.; revising the time in which the department must provide certain notice and certificate renewal forms; amending s. 583.01, F.S.; redefining the term "dealer"; transferring, renumbering, and amending s. 570.38, F.S., relating to the Animal Industry Technical Council; conforming a cross-reference; amending s. 589.08, F.S.; requiring the Florida Forest Service to pay a certain percentage of the gross receipts from the Goethe State Forest to each fiscally constrained county; requiring such funds to be equally divided between the board of county commissioners and the school board; amending s. 589.011, F.S.; providing conditions under which the Florida Forest Service is authorized to grant use of certain lands; limiting liability for lessees of specified lands; providing criteria by which the Florida Forest Service determines certain fees, rentals, and charges; amending s. 589.20, F.S.; authorizing the Florida Forest Service to cooperate with water management districts, municipalities, and other governmental entities; amending s. 590.02, F.S.; renaming the Florida Center for Wildfire and Forest Resources Management Training as the Withlacoochee Training Center; making technical changes; amending s. 590.125, F.S.; providing that new authorization is not required for smoldering that occurs within the authorized burn area unless new ignitions are conducted by certain persons; providing that monitoring the smoldering activity of a burn does not require an additional authorization; transferring and renumbering s. 570.0725, F.S., relating to food recovery; amending s. 597.003, F.S.; amending the powers and duties of the department to include providing training as necessary to lessees of certain lands for aquaculture use; amending s. 597.004, F.S.; requiring an applicant for an aquaculture certificate to submit a certificate of training if required; amending s. 597.020, F.S.; authorizing the department to adopt training requirements for shellfish processors by rule; transferring and renumbering ss. 570.481 and 570.55, F.S., relating to food recovery, fruit and vegetable inspection fees, and identification of sellers or handlers of tropical or subtropical fruit and vegetables, respectively; amending s. 604.16, F.S.; providing an exemption for certain

dealers in agricultural products from certain requirements; amending s. 604.22, F.S.; revising certain penalties for dealers in agricultural products; repealing s. 487.172, F.S., relating to an educational program for organotin compounds in antifouling paints; repealing ss. 500.301, 500.302, 500.303, 500.304, 500.305, 500.306, F.S., relating to the standards of enrichment, sales, enforcement, and inspection of certain grain products; repealing s. 500.601, F.S., relating to the retail sale of meat; repealing s. 570.345, F.S., relating to the Pest Control Compact; repealing s. 570.542, F.S., relating to the Florida Consumer Services Act; repealing s. 570.72, F.S., relating to a definition; repealing s. 570.92, F.S., relating to an equestrian educational sports program; repealing s. 589.081, F.S., relating to the Withlacoochee State Forest and Goethe State Forest; repealing s. 590.091, F.S., relating to the designation of railroad rights-of-way as wildfire hazard areas; amending ss. 193.461, 253.74, 288.1175, 320.08058, 373.621, 373.709, 381.0072, 388.46, 472.0351, 472.036, 482.161, 482.165, 482.243, 487.047, 487.091, 487.175, 493.6118, 496.420, 500.70, 501.612, 501.619, 502.231, 507.09, 507.10, 509.032, 525.16, 526.311, 526.55, 527.13, 531.50, 534.52, 539.001, 559.921, 559.9355, 559.936, 571.11, 571.28, 571.29, 578.181, 580.121, 581.141, 581.186, 581.211, 582.06, 585.007, 586.15, 586.161, 590.14, 595.701, 597.0041, 599.002, 601.67, 604.30, 616.242, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 97, CS for CS for HB 173, CS for CS for HB 277, HB 7031; has passed as amended HB 7073; has passed by the required constitutional two-thirds vote of the members voting CS for HB 7007 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Representative(s) Magar, Spano, Campbell, Cruz—

HB 97—A bill to be entitled An act relating to dentists and dental hygienists; amending s. 766.1115, F.S.; revising the definition of the term "contract"; requiring that a contract with a governmental contractor for health care services include a provision allowing a voluntary contribution toward certain dental laboratory work; providing that the contribution may not exceed the actual amount of the dental laboratory charges; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Education Committee, Choice & Innovation Subcommittee and Representative(s) Adkins—

CS for CS for HB 173—A bill to be entitled An act relating to juvenile justice education programs; amending s. 985.622, F.S.; revising requirements for the multiagency education plan for students in juvenile justice education programs, including virtual education as an option; amending s. 1001.31, F.S.; authorizing instructional personnel at all juvenile justice facilities to access specific student records at the district; amending s. 1003.51, F.S.; revising terminology; revising requirements for rules to be maintained by the State Board of Education; providing expectations for effective education programs for students in Department of Juvenile Justice programs; revising requirements for contract and cooperative agreements for the delivery of appropriate education services to students in Department of Juvenile Justice programs; requiring the Department of Education to ensure that juvenile justice students who are eligible have access to high school equivalency testing and assist juvenile justice education programs with becoming high school equivalency testing centers; revising requirements for an accountability system all juvenile justice education programs; revising

requirements to district school boards; amending s. 1003.52, F.S.; revising requirements for activities to be coordinated by the coordinators for juvenile justice education programs; authorizing contracting for educational assessments; revising requirements for assessments; authorizing access to local virtual education courses; requiring that an education program shall be based on each student's transition plan and assessed educational needs; providing requirements for prevention and day treatment juvenile justice education programs; requiring progress monitoring plans for all students not classified as exceptional student education students; revising requirements for such plans; requiring that the Department of Education, in partnership with the Department of Juvenile Justice, ensure that school districts and juvenile justice education providers develop individualized transition plans; providing requirements for such plans; providing that the Secretary of Juvenile Justice or the director of a juvenile justice program may request that a school district teacher's performance be reviewed by the district and that the teacher be reassigned in certain circumstances; requiring the Department of Education to establish by rule objective and measurable student performance measures and program performance ratings; providing requirements for such ratings; requiring a comprehensive accountability and program improvement process; providing requirements for such a process; deleting provisions for minimum thresholds for the standards and key indicators for education programs in juvenile justice facilities; revising data collection and annual report requirements; deleting provisions concerning the Arthur Dozier School for Boys; requiring rulemaking; amending s. 1001.42, F.S.; revising terminology; revising a cross-reference; providing an effective date.

—was referred to the Committees on Education; Criminal Justice; Appropriations Subcommittee on Education; and Appropriations.

By Education Committee, Civil Justice Subcommittee and Representative(s) Spano, Campbell, Raburn—

CS for CS for HB 277—A bill to be entitled An act relating to the joint use of public school facilities; creating s. 768.072, F.S.; authorizing district school boards to enter into joint-use agreements or adopt public access policies; providing immunity from liability for a district school board that enters into a joint-use agreement or adopts public access policies except in instances of gross negligence or intentional misconduct; providing applicability; providing an effective date.

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

By K-12 Subcommittee and Representative(s) Adkins, Porter—

HB 7031—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to notify the Legislative Auditing Committee if a district school board fails to take corrective action subsequent to an audit; amending s. 120.74, F.S.; exempting educational units from rule review and reporting requirements; amending s. 120.81, F.S.; conforming cross-references; amending s. 409.1451; conforming cross-references; repealing ss. 411.226, 411.227, and 411.228, F.S., relating to the Learning Gateway program; amending s. 496.404, F.S.; conforming cross-references; amending s. 775.215 F.S.; conforming cross-references; amending s. 984.151, F.S.; authorizing a district school superintendent's designee to submit a truancy petition; repealing s. 1000.01(5), F.S., relating to obsolete education governance transfers; amending s. 1000.21, F.S.; revising the definition of the term "Next Generation Sunshine State Standards"; repealing ss. 1000.33 and 1000.37, F.S., relating to the distribution of copies of educational compacts to other states; amending s. 1001.10, F.S.; deleting and revising certain duties of the Commissioner of Education relating to educational plans and programs; repealing s. 1001.25, F.S., relating to educational television; amending s. 1001.26, F.S.; revising Department of Education duties relating to the public broadcasting program system; prohibiting the use of educational television stations for the advancement of political candidates; providing penalties; repealing ss. 1001.47(7) and 1001.50(6), F.S., relating to obsolete district school superintendent salary provisions; repealing s. 1001.62, F.S., relating to obsolete provisions for the transfer of benefits arising under local or special acts; repealing s. 1001.73(3), F.S., relating to the abolished Board of Regents as trustee; amending s. 1002.20, F.S.; correcting cross-references and conforming provisions; amending s. 1002.31, F.S.; revising provisions relating to school district controlled open enrollment plans; amending s. 1002.3105,

F.S.; conforming provisions; amending s. 1002.321, F.S.; conforming provisions; amending s. 1002.33, F.S.; deleting required training before charter school application; conforming cross-references and provisions; amending s. 1002.34, F.S.; conforming cross-references; revising provisions relating to department assistance to charter technical career centers; amending s. 1002.345, F.S.; revising provisions relating to expedited review of deteriorating financial conditions for a charter school or charter technical career center; deleting an annual reporting requirement; amending s. 1002.39, F.S.; deleting obsolete provisions relating to eligibility for a John M. McKay Scholarship; amending s. 1002.41, F.S.; correcting cross-references; repealing s. 1002.415, F.S., relating to the K-8 Virtual School Program; amending s. 1002.45, F.S.; conforming cross-references; amending s. 1002.455, F.S.; conforming provisions; repealing s. 1002.65, F.S., relating to aspirational goals for credentials of prekindergarten instructors; amending s. 1003.01, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring instructional materials to be consistent with course descriptions; amending a. 1003.03, F.S.; conforming cross-references; amending s. 1003.41, F.S.; deleting an obsolete cost analysis requirement relating to a separate financial literacy course; amending s. 1003.4156, F.S.; revising course and assessment requirements for middle grades students for promotion to high school; providing an exemption for transfer students from certain course grade and assessment requirements; repealing s. 1003.428, F.S., relating to obsolete requirements for high school graduation; amending s. 1003.4281, F.S.; conforming cross-references; amending s. 1003.4282, F.S.; revising course and assessment requirements for the award of a standard high school diploma; providing requirements for a student in an adult general education program to be awarded a standard high school diploma; revising requirements for award of a certificate of completion; providing an exemption for transfer students from certain course grade and assessment requirements; providing specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements; providing for future repeal of transition requirements; amending s. 1003.4285, F.S.; revising requirements for standard high school diploma designations; amending s. 1003.438, F.S.; conforming cross-references; repealing s. 1003.451(5), F.S., relating to State Board of Education rulemaking; amending s. 1003.49, F.S.; conforming cross-references; amending s. 1003.493, F.S.; conforming a cross-reference; amending s. 1003.4935, F.S.; conforming a cross-reference; amending s. 1003.57, F.S., relating to exceptional student instruction; amending s. 1003.621, F.S.; revising audit criteria for academically high-performing school districts; repealing s. 1004.02(4), F.S., relating to the definition of the term "adult high school credit program"; amending s. 1004.0961, F.S.; providing for Board of Governors regulations; repealing s. 1004.3825, F.S., relating to authorization for a medical degree program; repealing s. 1004.387, F.S., relating to authorization for a pharmacy degree program; repealing s. 1004.445(2), F.S., relating to the board of directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; repealing s. 1004.75, F.S., relating to training school consolidation pilot projects; amending s. 1004.935, F.S.; conforming cross-references; repealing s. 1006.141, F.S., relating to a statewide school safety hotline; amending s. 1006.147, F.S.; deleting obsolete provisions relating to school district bullying and harassment policies; repealing s. 1006.148(2), F.S., relating to a department-developed model dating violence and abuse policy; amending s. 1006.15, F.S.; conforming cross-references; amending s. 1006.28, F.S.; conforming provisions relating to instructional materials; amending s. 1006.31, F.S.; conforming provisions relating to duties of an instructional materials reviewer; amending s. 1006.34, F.S.; revising provisions relating to standards used in the selection of instructional materials; amending s. 1006.40, F.S.; revising provisions relating to district school board purchase of instructional materials; amending s. 1006.42, F.S.; conforming provisions relating to the responsibility of parents for instructional materials; amending s. 1007.02, F.S.; deleting a popular name and providing applicability for the term "student with a disability"; amending s. 1007.2615, F.S.; deleting obsolete provisions relating to an American Sign Language task force; amending s. 1007.263, F.S.; conforming cross-references; amending ss. 1007.264 and 1007.265, F.S.; conforming provisions; amending s. 1007.271, F.S.; correcting cross-references; amending s. 1008.22, F.S.; conforming and revising provisions relating to the implementation of statewide, standardized comprehensive assessments, end-of-course assessments, and waivers for students with disabilities; requiring the commissioner to publish an implementation schedule for transition to new assessments; conforming provisions relating to concordant scores and comparative scores for assessments; amending s. 1008.25, F.S.; conforming assessment provisions

for student progression; amending s. 1008.33, F.S.; deleting obsolete provisions relating to implementation of certain school turnaround options; repealing s. 1008.331, F.S., relating to supplemental educational services in Title I schools; amending s. 1008.3415, F.S.; correcting a cross-reference; repealing s. 1008.35, F.S., relating to best financial management practices for school districts; amending s. 1009.22, F.S.; deleting obsolete provisions relating to workforce education post-secondary student fees; amending s. 1009.40, F.S.; conforming cross-references; amending s. 1009.531, F.S.; conforming cross-references; amending s. 1009.532, F.S.; correcting cross-references; amending s. 1009.536, F.S.; correcting cross-references; repealing s. 1009.56, F.S., relating to the Seminole and Miccosukee Indian Scholarship Program; repealing s. 1009.69, F.S., relating to the Virgil Hawkins Fellows Assistance Program; amending s. 1009.91, F.S.; conforming a cross-reference; amending s. 1009.94, F.S.; conforming a cross-reference; repealing part V of chapter 1009, F.S., relating to the Florida Higher Education Loan Authority; repealing s. 1011.71(3)(b) and (c), F.S., relating to expired authorization for certain millage levy; repealing s. 1011.76(4), F.S., relating to best financial management practices review under the Small School District Stabilization Program; amending s. 1011.80, F.S.; correcting a cross-reference; amending s. 1012.05, F.S.; deleting department and commissioner duties relating to teacher recruitment and retention; amending s. 1012.22, F.S.; conforming provisions; repealing s. 1012.33(9), F.S., relating to obsolete provisions for payment of professional service contracts; amending s. 1012.34, F.S.; correcting cross-references relating to measuring student performance in personnel evaluations; amending s. 1012.44, F.S.; deleting obsolete provisions; amending s. 1012.561, F.S.; deleting an obsolete provision; repealing s. 1012.595, F.S., relating to an obsolete saving clause for educator certificates; amending s. 1012.885, F.S.; deleting certain provisions relating to remuneration of Florida College System institution presidents; amending s. 1012.975, F.S.; deleting certain provisions relating to remuneration of state university presidents; amending s. 1012.98, F.S.; requiring continuing education training for kindergarten teachers; amending s. 1013.35, F.S.; revising audit requirements for school district educational planning and construction activities; amending s. 1013.47, F.S.; deleting provisions relating to payment of wages of certain persons employed by contractors; repealing s. 1013.49, F.S., relating to toxic substances in educational facilities; repealing s. 1013.512, F.S., relating to the Land Acquisition and Facilities Advisory Board; repealing s. 1013.54, F.S., relating to the cooperative development and use of satellite educational facilities; repealing s. 20 of chapter 2010-24, Laws of Florida, relating to Department of Revenue authorization to adopt emergency rules; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Appropriations Committee and Representative(s) McKeel

HB 7073—A bill to be entitled An act relating to information technology governance; transferring the Agency for Enterprise Information Technology to the Agency for State Technology; voiding certain rules of the Agency for Enterprise Information Technology; transferring the Northwood Shared Resource Center and Southwood Shared Resource Center to the Agency for State Technology; repealing s. 14.204, F.S., relating to creation of the Agency for Enterprise Information Technology; reordering and amending s. 20.055, F.S.; revising the term “state agency” to include the Agency for State Technology for purposes of provisions relating to agency inspectors general; creating s. 20.61, F.S.; creating the Agency for State Technology; providing that executive director shall serve as the state’s chief information officer; establishing certain agency positions; establishing the Technology Advisory Council; providing for membership and duties of the council; providing that members of the council are governed by the Code of Ethics for Public Officers and Employees; amending s. 215.96, F.S.; requiring the executive director of the Agency for State Technology to serve on an information subsystem coordinating council established by the Chief Financial Officer; amending s. 216.023, F.S.; requiring certain legislative budget requests to include certain project management and oversight standards; amending s. 282.0041, F.S.; revising, creating, and deleting definitions used in the Enterprise Information Technology Services Management Act; creating s. 282.0051, F.S.; providing powers, duties, and functions of the Agency for State Technology; authorizing the agency to adopt rules; creating s. 282.00515, F.S.; requiring the Department of

Legal Affairs, the Department of Financial Services, and the Department of Agriculture and Consumer Services to adopt certain technical standards or alternatives to those standards and authorizing such departments to contract with the Agency for State Technology for certain purposes; repealing ss. 282.0055 and 282.0056, F.S., relating to various duties of the Agency for Enterprise Information Technology; amending s. 282.201, F.S., relating to the state data center system; establishing a state data center within the Agency for State Technology; requiring the agency to provide data center services; requiring state agencies to provide certain information; revising schedules for consolidation of state agency data centers and computing facilities into the state data center; revising exemptions from consolidation; revising limitations on state agency computing facilities and data centers; repealing s. 48 of chapter 2013-41, Laws of Florida, relating to agency data center consolidation schedules; repealing ss. 282.203, 282.204, and 282.205, F.S., relating to primary data centers, the Northwood Shared Resource Center, and the Southwood Shared Resource Center, respectively; amending s. 282.318, F.S.; changing the name of the Enterprise Security of Data and Information Technology Act; defining the term “agency” as used in the act; requiring the Agency for State Technology to establish and publish certain security standards and processes; requiring state agencies to perform certain security-related duties; requiring the agency to adopt rules; conforming provisions; repealing s. 282.33, F.S., relating to standards for data center energy efficiency; repealing s. 282.34, F.S., relating to the planning and provision of a statewide e-mail service; creating s. 287.0591, F.S.; limiting the terms of certain competitive solicitations for information technology commodities; providing an exception; amending s. 943.0415, F.S.; providing additional duties of the Cybercrime Office of the Department of Law Enforcement; requiring the office to coordinate with the Agency for State Technology in the adoption of specified rules; amending s. 1004.649, F.S.; revising provisions regarding service-level agreements entered into by the Northwest Regional Data Center; conforming provisions; amending ss. 17.0315, 110.205, 215.322, 287.057, 327.301, 445.011, 445.045, and 668.50, F.S.; conforming provisions to changes made by the act; requiring the Agency for State Technology to conduct a study and submit a report to the Governor and Legislature; creating a state data center task force; providing for membership, duties, and abolishment of the task force; providing appropriations and authorizing positions; requiring the Agency for State Technology to complete an operational assessment; requiring reports to the Governor and Legislature; providing that certain reorganizations within state agencies do not require approval by the Legislative Budget Commission; providing effective dates.

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

By Economic Affairs Committee, Transportation & Highway Safety Subcommittee and Representative(s) Ariles—

CS for HB 7007—A bill to be entitled An act relating to public records; amending s. 338.155, F.S., relating to the payment of tolls and associated charges; providing an exemption from public records requirements for personal identifying information; providing for retroactive application of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 522, CS for SB 524 and CS for CS for CS for SB 526.

Robert L. “Bob” Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 18 was corrected and approved.

CO-INTRODUCERS

Senators Abruzzo—CS for SB 312; Altman—CS for SB 518; Bean—CS for CS for CS for SB 542; Bullard—SB 240, SB 1426, SB 1436; Clemens—CS for SB 220; Diaz de la Portilla—SB 958; Evers—CS for CS for CS for SB 542; Flores—CS for CS for CS for SB 542; Garcia—SB 176, SB

776, SB 1090; Hukill—SB 958; Negron—SB 958; Sobel—SB 156; Soto—CS for SB 156, SB 240, CS for CS for SB 532; Stargel—CS for CS for CS for SB 542

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 3:46 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, March 26 or upon call of the President.