



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Gardiner at 10:00 a.m. A quorum present—35:

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

PRAYER

The following prayer was offered by Reverend David Killeen, St. John's Episcopal Church, Tallahassee:

Accept, O Lord, our thanks and praise for all that you have done for us. We thank you for the splendor of the whole creation, for the beauty of this world, and for the wonder of life.

On this Earth Day, we pray that you will give us wisdom and reverence so to use the resources of nature, that no one may suffer from our abuse of them, and that generations yet to come may continue to praise you for your bounty.

In our capital, districts, and hometowns, we thank you for setting us at tasks which demand our best efforts and for leading us to accomplishments which satisfy and delight us. We thank you also for those disappointments and failures that lead us to acknowledge our dependence on you alone.

Grant that we may not rest until all the people of this land share the benefits of true freedom and gladly accept its disciplines. For yours is the kingdom, O Lord, and you are exalted as head above all. Amen.

PLEDGE

Senate Pages, Logan Roberts of Tallahassee, son of Dawn Roberts, Staff Director of the Senate Committee on Ethics and Elections; Elizabeth Tauchen of Sebring; Lia Panzner of Hernando Beach; and Emma Bailey of St. Petersburg, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

APPOINTMENTS

The Honorable Andy Gardiner April 22, 2015
President, The Florida Senate

Dear President Gardiner:

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

Office and Appointment

*For Term
Ending*

Florida Public Service Commission

Appointees:	Brown, Julie I.	01/01/2019
	Patronis, Jimmy T., Jr.	01/01/2019

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 committee 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 2015 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,
Garrett Richter, Chair

On motion by Senator Richter, 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—33

Mr. President	Bradley	Clemens
Abruzzo	Brandes	Diaz de la Portilla
Altman	Braynon	Flores
Bean	Bullard	Gaetz

Galvano	Joyner	Sachs
Garcia	Latvala	Simmons
Gibson	Lee	Simpson
Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Richter	Stargel
Hutson	Ring	Thompson

Nays—1

Legg

Vote after roll call:

Yea—Benacquisto, Detert, Evers, Negron, Soto

REINSTATEMENTS

EXECUTIVE ORDER NUMBER 14-111 (Executive Order of Suspension)

WHEREAS, Shawn Leigh Rowland (a.k.a. Shawn Leigh Boyle) is presently serving as a Notary Public of the State of Florida; and

WHEREAS, on or about April 8, 2013, Shawn Boyle was convicted in the Circuit Court of the Eighteenth Judicial Circuit, in and for Brevard County, in case number 2012CF060179, of one count of Acting as an Insurance Agent with a Suspended or Revoked License, a third-degree felony in violation of section 624.310(8), Florida Statutes; and

WHEREAS, during the investigation by this Office, it was discovered that Shawn Boyle had changed her legal name to Shawn Leigh Rowland, and had failed to update her commission and notify the Department of State within 60 days, as required by section 117.05(9), Florida Statutes; and

WHEREAS, Shawn Boyle failed to notify the Department of State of the above-stated change to her criminal history record following her felony conviction while commissioned as a Florida notary public, as required by section 117.01(2); and

WHEREAS, on January 9, 2014, and January 24, 2014, this Office notified Shawn Boyle by certified mail, and required that she respond to the investigation by this Office of her felony conviction while commissioned as a Florida notary public; and

WHEREAS, during the investigation by this Office, it was discovered that Shawn Boyle had moved from the address on file and had failed to notify the Department of State of the change in her address within 60 days, as required by section 117.01(2), Florida Statutes; and

WHEREAS, to date, this Office has not received the required response from Shawn Boyle; and

WHEREAS, the Governor is authorized by Article IV, Section 7 of the Florida Constitution to suspend from office by executive order an appointed public official for the commission of a felony; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Shawn Boyle be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution and section 117.01(4), Florida Statutes, find and state as follows:

A. Shawn Boyle is a duly appointed Notary Public of the State of Florida, pursuant to section 117.01, Florida Statutes.

B. Shawn Boyle is commissioned as a Florida notary public from October 25, 2011, through October 24, 2015.

C. Shawn Boyle was convicted of a felony in Brevard County in 2013, while commissioned as a Florida notary public.

D. Shawn Boyle failed to notify the Department of State of the change to her criminal history record following her felony conviction in Brevard County in 2013, as required by section 117.01(2), Florida Statutes.

E. Shawn Boyle failed to update her commission and notify the Department of State within 60 days of the change to her legal name, in violation of section 117.05(9), Florida Statutes.

F. Shawn Boyle failed to notify the Department of State within 60 days of her change of address, in violation of section 117.01(2), Florida Statutes.

G. Shawn Boyle refused to cooperate or respond to an investigation of notary misconduct by the Executive Office of the Governor, as required by section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued:

Section 1. Shawn Boyle is suspended from the public office which she now holds: Notary Public of the State of Florida.

Section 2. Shawn Boyle is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of this public office during the period of suspension, which shall begin today until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of March, 2014.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections March 26, 2014, and to the Senate Special Master March 12, 2015.]

The Honorable Andy Gardiner
President of the Senate

April 22, 2015

RE: Suspension of:
ROWLAND, Shawn Leigh
Notary Public

Dear President Gardiner:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Shawn Leigh Rowland.

By Executive Order Number 14-111 filed with the Secretary of State on March 25, 2014, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Shawn Leigh Rowland as a Notary Public. The Executive Order alleges she had been convicted on or about April 8, 2013, of Acting as an Insurance Agent with a Suspended or Revoked License, a third degree felony pursuant to s. 624.310(8), F.S. The Executive Order also alleges she failed to notify the Department of State of the conviction and failed to update the Department about changes to her legal name and her address as required by s. 117.01(2), F.S. Ms. Rowland's commission is set to expire on October 24, 2015.

On March 12, 2015, this matter was referred to Senate General Counsel George Levesque to act as special master ("Special Master"). Pursuant to Senate Rules, he was required to conduct a hearing and to recommend whether Ms. Rowland should be removed from or reinstated to the office of Notary Public. The Special Master conducted the hearing on April 3, 2015. As required, a Special Master's Final Report was pre-

pared on April 10, 2015. The Special Master presented the Report to the Committee on Ethics and Elections on April 15, 2015.

The Special Master’s Final Report states that at the hearing the Governor’s counsel only argued that Ms. Rowland failed to provide written notification of the change in her criminal history, name, and address within 60 days. Both parties stipulated that on April 8, 2013, Ms. Rowland entered a nolo contendere plea to the criminal charge and that adjudication of guilt was withheld. The parties also stipulated that Ms. Rowland changed her name and address on October 11, 2013. The Special Master found that on March 24, 2014, Ms. Rowland notified the Notary Section in the Office of the Governor with her change in name and address. This occurred after being contacted by the Notary Section concerning changes in Ms. Rowland’s criminal history.

Concerning Ms. Rowland’s testimony, the Special Master stated he found Ms. Rowland to be a credible witness and accepted her testimony as true. The Special Master’s Final Report indicates that Ms. Rowland asked for leniency and provided additional background. Ms. Rowland testified that she was embroiled in divorce proceedings during 2013. She testified that to bring closure to the ordeal, she accepted a nolo contendere plea offer which included a withhold of adjudication. Ms. Rowland stated that her public defender advised her that she would not have to report the plea as a conviction because adjudication of guilt was not imposed. Based on that advice, she was not aware that she was obligated to report the criminal charge and resolution of the matter. During this time period, Ms. Rowland was not employed. Nor was Ms. Rowland using her notary commission. Additionally, Ms. Rowland provided general letters of recommendation to the Special Master, one of which was from an attorney that she has known for approximately 30 years.

The Special Master concluded:

Based on the foregoing, it is my opinion that counsel for the Governor has demonstrated appropriate grounds for Shawn Rowland to be suspended and removed from office. I make this finding based upon a clear violation of the law. As counsel for the Governor argued, notaries public are public officers subject to a higher standard. My recommendation is based on the law and the facts as proven. While Shawn Rowland presented as a sympathetic and credible witness, it is not my role to say whether leniency or a lesser penalty should apply. This conclusion and report is only a recommendation to the President and the Senate. If leniency or mercy is to be granted, it is within the power and discretion of the Senate to grant it.

At the Committee on Ethics and Elections meeting on April 15, 2015, the Special Master presented the report and responded to questions from members concerning the facts and findings contained therein. Some committee members expressed concern regarding the technical nature of the allegations. To that point, the Special Master acknowledged that no evidence had been presented to suggest Ms. Rowland used her notary commission improperly or for nefarious purposes. Further, some members of the committee viewed the advice provided by Ms. Rowland’s public defender that she did not have a felony conviction on her record as an additional mitigating factor. The Special Master was asked whether or not “we’ve caught a criminal.” The Special Master responded in the negative. Further, he explained that in a criminal context, these facts would support the case for leniency. However, he also indicated the issue dealt with the privilege of holding a public office and not a criminal prosecution, and reasonable people may disagree as to how high the standard should be and whether leniency would be appropriate. In light of the technical nature of the violations and the mitigating circumstances, the Committee voted to reject the Special Master’s Final Report and recommend to the Senate that Ms. Rowland be reinstated as a Notary Public.

Based on the foregoing, I advise and recommend that the Senate reinstate Ms. Shawn Rowland to the office of Notary Public.

Sincerely,
Garrett Richter, Chair

On motion by Senator Richter, the report was adopted and the Senate confirmed the reinstatement of Ms. Rowland, identified in the foregoing report of the committee to the office of Notary Public in accordance with the recommendation of the committee.

The vote was:

Yeas—34

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

Nays—1

Legg

Vote after roll call:

Yea—Benacquisto, Detert, Evers, Negron

CERTIFICATE RECEIVED

The Secretary announced that The Honorable Ken Detzner, Secretary of State, had certified to the election of the following Senator:

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

I, **Ken Detzner**, Secretary of State of the State of Florida, do hereby certify that the following candidate was duly elected at the Special Election held on the 7th day of April, A.D., 2015, to the office of Member, State Senate, as shown by the records of this office:

SENATE DISTRICT 6	ELECTED SENATOR Travis Hutson
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GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 21st day of April, A.D., 2015.

Ken Detzner
SECRETARY OF STATE

ADOPTION OF RESOLUTIONS

At the request of Senator Hukill—

By Senator Hukill—

SR 178—A resolution recognizing May 2015 as “American Stroke Month” in Florida.

WHEREAS, stroke is the fourth leading cause of death in the United States, striking more than 795,000 Americans each year and killing almost 130,000, including a total of 25,310 Floridians from 2011 through 2013, and

WHEREAS, stroke is also a leading cause of serious long-term disability in the United States, with more than 1.1 million adults experiencing functional limitations or difficulty with activities of daily living resulting from stroke, and

WHEREAS, on the average, a stroke occurs every 40 seconds and takes a life every 4 minutes in the United States, and

WHEREAS, in 2014, the estimated direct and indirect costs of stroke in the United States were more than \$73.7 billion, and

WHEREAS, many Americans are unaware of their risk factors for a stroke and of the signs and symptoms of an impending stroke, and

WHEREAS, statistics show that African Americans have almost twice the risk of a first stroke compared to Caucasians, in part because of their increased risk of high blood pressure and diabetes, and

WHEREAS, the American Stroke Association's "Together to End Stroke" initiative, which begins on May 1 with the American Stroke "Day of Action" and continues year-round, encourages Americans to learn their personal stroke risk, memorize and share the stroke warning signs, and call 911 at the first sign of a stroke, and

WHEREAS, one in three Americans cannot recall any stroke warning signs or symptoms, and

WHEREAS, the American Stroke Association's "Together to End Stroke" initiative helps people learn how to recognize and respond to stroke warning signs using the acronym "FAST," in which "F" stands for face drooping, "A" stands for arm weakness, "S" stands for speech difficulty, and "T" stands for time to call 911 if any signs are present, and

WHEREAS, new and effective treatments have been developed to treat and minimize the severity and damaging effects of strokes, but much more research is needed, NOW, THEREFORE,

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

That May 2015 is recognized as "American Stroke Month" in Florida and that all residents of this state are urged to familiarize themselves with the risk factors, warning signs, and symptoms associated with stroke and, at the first sign of a stroke, to dial 911, so that we may begin to reduce the devastating effects of stroke on our population and Floridians may live stronger, healthier lives.

—was introduced, read and adopted by publication.

At the request of Senator Detert—

By Senator Detert—

SR 1640—A resolution expressing support for the successful negotiation of a mutually beneficial Transatlantic Trade and Investment Partnership between the United States and the European Union.

WHEREAS, the transatlantic economy is the largest in the world, encompassing nearly 50 percent of global gross domestic product (GDP), and the United States-European Union High Level Working Group on Jobs and Growth has called for an agreement to remove constraints to economic growth between these two entities, resulting in discussion of the Transatlantic Trade and Investment Partnership (TTIP), and

WHEREAS, growth of emerging marketplaces across the globe continues to lessen the share of global GDP attributable to the transatlantic economy, and

WHEREAS, expansion of global trade, especially with member nations of the European Union, is of vital importance to the growth of the economy of the United States, small business participation in the international marketplace, and job creation, and

WHEREAS, this state would benefit greatly from the ratification of a comprehensive TTIP, which would create employment opportunities for Floridians as a direct result of loosening current burdens on trade and free markets, and

WHEREAS, the successful implementation of the TTIP will increase exports to the European Union from this state, and

WHEREAS, the Constitution of the United States of America grants the Congress of the United States sole authority in regulating commerce with foreign nations, and

WHEREAS, the negotiation of a successful Transatlantic Trade and Investment Partnership will necessarily be a bipartisan cooperation between state, federal, and foreign governments, NOW, THEREFORE,

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

That successful negotiation in a timely manner by the Executive Branch of a comprehensive and mutually beneficial Transatlantic Trade and Investment Partnership between the United States and the European Union and its ratification by the United States Congress is supported.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Florida congressional delegation with a request that the United States Congress grant trade promotion authority to the Executive Branch.

—was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1656—A resolution expressing appreciation for the sister state relationship and bilateral economic and cultural ties between Florida and Taiwan, officially known as the Republic of China, and reaffirming the commitment of this state to a strong and deepening relationship with Taiwan as it continues to embrace the fundamental values of freedom, democracy, and the protection of human rights.

WHEREAS, April 10, 2015, marked the 36th anniversary of the enactment of the Taiwan Relations Act, which maintains peace, security, and stability in the Western Pacific and promotes the foreign policy of the United States by authorizing the continuation of commercial, cultural, and other relations between the people of the United States and the people of Taiwan, and

WHEREAS, Taiwan is an ally of the United States in East Asia and, as such, continues to receive defensive weaponry, including advanced fighter aircraft, from the United States, which creates job opportunities in this state and helps Taiwan maintain its defense capabilities in the region, and

WHEREAS, President Ma Ying-jeou's East China Sea Peace Initiative and the code of conduct adopted thereunder, which recognizes the conflicting territorial viewpoints of the interested parties, calls on all concerned to resolve their regional disputes peacefully and share resources in accordance with international law, which is consistent with the security and economic interests of the United States in East Asia, and

WHEREAS, Taiwan's meaningful participation in international organizations, including its bid for attendance in the United Nations Framework Convention on Climate Change, and its participation in, observation of, and cooperation with more than 50 international organizations, specifically its recent active participation in the International Civil Aviation Organization's Assembly, is commendable, as is its membership in both the Asia-Pacific Economic Cooperation forum and the World Trade Organization, and

WHEREAS, support for Taiwan's continued economic growth and prosperity is important to the interests of the United States, especially with regard to Taiwan's bid to join the Trans-Pacific Partnership and the Regional Comprehensive Economic Partnership, which will further expand Taiwan's participation in the global market, increase equal competition with member states, and prevent economic marginalization, and

WHEREAS, in 2014, Taiwan was the 10th largest two-way trade partner of the United States and the 7th largest export market for food and agricultural products from the United States, and, in 2013, was the 6th largest source of international students traveling to the United States, and

WHEREAS, with respect to Taiwan's contributions in the global markets of both traditional and innovative industries, support for continued bilateral talks under the Trade and Investment Framework Agreement and accompanying efforts toward establishing a Bilateral Investment Agreement with the United States will globalize Taiwan's economy and eliminate trade barriers, thus solidifying Taiwan as a ro-

bust and trustworthy trade and security partner to the United States in East Asia, NOW, THEREFORE,

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

That we express appreciation for the sister state relationship and bilateral economic and cultural ties between Florida and Taiwan, officially known as the Republic of China, and reaffirm the commitment of this state to a strong and deepening relationship with Taiwan as it continues to embrace the fundamental values of freedom, democracy, and the protection of human rights.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Taipei Economic and Cultural Office in Miami as a tangible token of the sentiments of the Florida Senate.

—was introduced, read and adopted by publication.

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

SPECIAL ORDER CALENDAR

Consideration of **SB 462**, **CS for SB 1298**, and **CS for SB 842** was deferred.

On motion by Senator Hays—

CS for CS for SB 596—A bill to be entitled An act relating to craft distilleries; amending s. 565.03, F.S.; defining the term “branded product”; revising the current limitation on the number of containers that may be sold to consumers by craft distilleries; applying such limitation to individual containers for each branded product; prohibiting a craft distillery from shipping or arranging to ship any of its distilled spirits to consumers; providing an exception; requiring the Department of Transportation to install directional signs at specified locations in accordance with Florida’s Highway Guide Sign Program upon the request of a craft distillery licensed in this state; requiring the craft distillery licensed in this state to pay specified costs; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (227916)—Delete lines 48-79 and insert: to the distillery’s production building in this state.

1. A craft distillery ~~or licensed distillery~~ may not sell any factory-sealed individual containers of spirits except in face-to-face sales transactions with consumers who are making a purchase of *no more than*:

- a. *Two individual containers of each branded product;*
- b. *Three individual containers of a single branded product and up to one individual container of a second branded product; or*
- c. *Four individual containers of a single branded product.*

2. *Each container sold in face-to-face transactions with consumers must ~~two or fewer individual containers, that~~ comply with the container limits in s. 565.10, per calendar year for the consumer’s personal use and not for resale and who are present at the distillery’s licensed premises in this state.*

~~3.1.~~ A craft distillery must report to the division within 5 days after it reaches the production limitations provided in paragraph (1)(b) ~~(1)(a)~~. Any retail sales to consumers at the craft distillery’s licensed premises are prohibited beginning the day after it reaches the production limitation.

~~4.2.~~ A craft distillery may *not only ship or, arrange to ship, or deliver* any of its distilled spirits to consumers *and may sell and deliver only to consumers* within the state in a face-to-face transaction at the distillery property. However, a craft distiller licensed under this section may ship,

arrange to ship, or deliver such spirits to manufacturers of distilled spirits, wholesale distributors of distilled spirits, state or federal bonded warehouses, and exporters.

~~5.3.~~ Except as provided in subparagraph ~~6.4.~~, it is unlawful to transfer a distillery license for a distillery that produces 75,000 or fewer gallons per calendar year of distilled spirits on its premises or any ownership interest in such license to an individual or entity that has a direct or indirect ownership interest in any distillery licensed in this state; another state, territory, or country; or by the United States government to manufacture, blend, or rectify distilled spirits for beverage purposes.

~~6.4.~~ A craft distillery shall not have its ownership

Pursuant to Rule 4.19, **CS for CS for SB 596** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 340—A bill to be entitled An act relating to crisis stabilization services; amending s. 394.9082, F.S.; requiring the Department of Children and Families to develop standards and protocols for the collection, storage, transmittal, and analysis of utilization data from public receiving facilities; defining the term “public receiving facility”; requiring the department to require compliance by managing entities by a specified date; requiring a managing entity to require public receiving facilities in its provider network to submit certain data within specified timeframes; requiring managing entities to reconcile data to ensure accuracy; requiring managing entities to submit certain data to the department within specified timeframes; requiring the department to create a statewide database; requiring the department to adopt rules; requiring the department to submit an annual report to the Governor and the Legislature; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 340**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 79** was withdrawn from the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Grimsley—

CS for HB 79—A bill to be entitled An act relating to crisis stabilization services; amending s. 394.9082, F.S.; requiring the Department of Children and Families to develop standards and protocols for the collection, storage, transmittal, and analysis of utilization data from public receiving facilities; defining the term “public receiving facility”; requiring the department to require compliance by managing entities by a specified date; requiring a managing entity to require public receiving facilities in its provider network to submit certain data within specified timeframes; requiring managing entities to reconcile data to ensure accuracy; requiring managing entities to submit certain data to the department within specified timeframes; requiring the department to create a statewide database; requiring the department to adopt rules; requiring the department to submit an annual report to the Governor and the Legislature; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for SB 340** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 79** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for CS for SB 420—A bill to be entitled An act relating to animal control; amending s. 588.17, F.S.; providing a procedure for adopting or humanely disposing of impounded stray livestock, except cattle, as an alternative to sale or auction; amending s. 588.18, F.S.; requiring a county animal control center to establish fees and be responsible for damages caused while impounding livestock; amending s. 588.23, F.S.; conforming provisions to changes made by the act; amending s. 828.073, F.S.; conforming provisions to changes made by this act; authorizing certain municipal animal control officers to take custody of an animal

found neglected or cruelly treated or to order the owner of such an animal to provide certain care at the owner's expense; authorizing county courts to remand animals to the custody of certain municipalities; authorizing the allocation of auction proceeds to certain animal control officers; amending s. 828.27, F.S.; deleting obsolete provisions; clarifying that certain provisions relating to local animal control are not the exclusive means of enforcing animal control laws; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 420** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for SB 526—A bill to be entitled An act relating to notaries public; amending s. 92.525, F.S.; revising the methods available for verifying documents; amending s. 117.10, F.S.; defining the term “reliable electronic means”; authorizing specified officers to administer oaths by reliable electronic means when engaged in the performance of official duties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 526** was placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

CS for CS for CS for SB 252—A bill to be entitled An act relating to insurance; amending s. 408.909, F.S.; revising the due date for an annual report relating to health flex plans which must be submitted by the Office of Insurance Regulation and the Agency for Health Care Administration; amending s. 440.13, F.S.; revising the due date for a biennial report relating to methods to improve the workers' compensation health care delivery system which must be submitted by a certain three-member panel; amending s. 624.413, F.S.; increasing the number of years that a specified examination report remains valid and may be considered for the purpose of applying for a certificate of authority; amending s. 624.425, F.S.; providing that the absence of a counter-signature does not affect the validity of a policy or contract of insurance; amending s. 626.916, F.S.; revising the required conditions for the export of insurance coverage to delete a provision specifying how reasonableness shall be assessed under certain circumstances; amending s. 626.931, F.S.; deleting provisions that require surplus lines agents to file a quarterly affidavit with the Florida Surplus Lines Office; amending s. 627.211, F.S.; revising the due date for an annual report relating to certain workers' compensation issues which must be submitted by the office; amending s. 627.971, F.S.; providing that the term “financial guaranty insurance” does not include guarantees of higher education loans unless written by a financial guaranty insurance corporation; amending ss. 626.932, 626.935, and 626.936, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Smith moved the following amendments which were adopted:

Amendment 1 (544922) (with title amendment)—Delete lines 122-184.

And the title is amended as follows:

Delete lines 17-24 and insert: insurance; amending s. 627.211, F.S.; revising the due

Amendment 2 (240292) (with title amendment)—Delete lines 283-315.

And the title is amended as follows:

Delete lines 30-32 and insert: a financial guaranty insurance corporation; providing an

Pursuant to Rule 4.19, **CS for CS for CS for SB 252** 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 220** was deferred.

CS for CS for SB 112—A bill to be entitled An act relating to special license plates; amending s. 320.089, F.S.; authorizing the department to issue Woman Veteran, World War II Veteran, Navy Submariner, Combat Action Ribbon, Air Force Combat Action Medal, and Distinguished Flying Cross license plates; specifying qualifications and requirements for the plates; requiring that any revenue generated from the sale of Woman Veteran license plates be deposited into the Operations and Maintenance Trust Fund to be used for certain purposes; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 112**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 329** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Fiscal Policy.

On motion by Senator Hays—

CS for CS for HB 329—A bill to be entitled An act relating to special license plates; amending s. 320.089, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue Combat Action Ribbon, Air Force Combat Action Medal, Distinguished Flying Cross, World War II Veteran, Woman Veteran, Navy Combat Veteran, Marine Corps Combat Veteran, Air Force Combat Veteran, and Navy Submariner license plates; specifying qualifications and requirements for the plates; providing for the use of proceeds from the sale of the plates; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 112** and read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (201480) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 320.089, Florida Statutes, is amended to read:

320.089 Veterans of the United States Armed Forces; members of National Guard; survivors of Pearl Harbor; Purple Heart medal recipients; active or retired United States Armed Forces reservists; Combat Infantry Badge, Combat Medical Badge, or Combat Action Badge recipients; *Combat Action Ribbon recipients; Air Force Combat Action Medal recipients; Distinguished Flying Cross recipients*; former prisoners of war; Korean War Veterans; Vietnam War Veterans; Operation Desert Shield Veterans; Operation Desert Storm Veterans; Operation Enduring Freedom Veterans; ~~and~~ Operation Iraqi Freedom Veterans; *Women Veterans; World War II Veterans; and Navy Submariners*; special license plates; fee.—

(1)(a) Each owner or lessee of an automobile or truck for private use or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and a veteran of the United States Armed Forces, *a Woman Veteran, a World War II Veteran, a Navy Submariner, an active or retired member of the Florida National Guard, a survivor of the attack on Pearl Harbor, a recipient of the Purple Heart medal, an active or retired member of any branch of the United States Armed Forces Reserve, or a recipient of the Combat Infantry Badge, Combat Medical Badge, or Combat Action Badge, Combat Action Ribbon, Air Force Combat Action Medal, or Distinguished Flying Cross shall*, upon application to the department, accompanied by proof of release or discharge from any branch of the United States Armed Forces, proof of active membership or retired status in the Florida National Guard, proof of membership in the Pearl Harbor Survivors Association or proof of active military duty in Pearl Harbor on December 7, 1941, proof of being a Purple Heart medal recipient, proof of

active or retired membership in any branch of the *United States* Armed Forces Reserve, or proof of membership in the Combat Infantrymen's Association, Inc., ~~or other~~ proof of being a recipient of the Combat Infantry Badge, Combat Medical Badge, ~~or~~ Combat Action Badge, *Combat Action Ribbon, Air Force Combat Action Medal, or Distinguished Flying Cross*, and upon payment of the license tax for the vehicle as provided in s. 320.08, ~~shall~~ be issued a license plate as provided by s. 320.06, ~~upon~~ which, in lieu of the serial numbers prescribed by s. 320.06, ~~is shall be~~ stamped *with* the words "Veteran," "Woman Veteran," "WWII Veteran," "Navy Submariner," "National Guard," "Pearl Harbor Survivor," "Combat-wounded veteran," "U.S. Reserve," "Combat Infantry Badge," "Combat Medical Badge," ~~or~~ "Combat Action Badge," "Combat Action Ribbon," "Air Force Combat Action Medal," or "Distinguished Flying Cross," as appropriate, and a likeness of the related campaign medal or badge, followed by the serial number of the license plate. Additionally, the Purple Heart plate may have the words "Purple Heart" stamped on the plate and the likeness of the Purple Heart medal appearing on the plate.

(b) Notwithstanding any other provision of law to the contrary, beginning with fiscal year 2002-2003 and annually thereafter, the first \$100,000 in general revenue generated from the sale of license plates issued under this section shall be deposited into the Grants and Donations Trust Fund, as described in s. 296.38(2), to be used for the purposes established by law for that trust fund. Any additional general revenue generated from the sale of such plates shall be deposited into the State Homes for Veterans Trust Fund and used solely to construct, operate, and maintain domiciliary and nursing homes for veterans, subject to the requirements of chapter 216.

(c) *Any revenue generated from the sale of Woman Veteran license plates must be deposited into the Operations and Maintenance Trust Fund administered by the Department of Veterans' Affairs pursuant to s. 20.375(3) and must be used solely for the purpose of creating and implementing programs to benefit women veterans.* Notwithstanding any provisions of law to the contrary, an applicant for a Pearl Harbor Survivor license plate or a Purple Heart license plate who also qualifies for a disabled veteran's license plate under s. 320.084 shall be issued the appropriate special license plate without payment of the license tax imposed by s. 320.08.

(2) Each owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use; who is a resident of ~~this~~ the state and who is a former prisoner of war, or ~~his or her~~ their unremarried surviving spouse, ~~shall~~, upon application ~~therefor~~ to the department, ~~shall~~ be issued a license plate as provided in s. 320.06, ~~on which license plate are~~ stamped *with* the words "Ex-POW" followed by the serial number. Each application shall be accompanied by proof that the applicant meets the qualifications specified in paragraph (a) or paragraph (b).

(a) A citizen of the United States who served as a member of the Armed Forces of the United States or the armed forces of a nation allied with the United States who was held as a prisoner of war at such time as the Armed Forces of the United States were engaged in combat, or ~~his or her~~ their unremarried surviving spouse, may be issued the special license plate provided for in this subsection without payment of the license tax imposed by s. 320.08.

(b) A person who was serving as a civilian with the consent of the United States Government, or a person who was a member of the Armed Forces of the United States ~~while he or she~~ who was not a United States citizen and was held as a prisoner of war when the Armed Forces of the United States were engaged in combat, or ~~his or her~~ their unremarried surviving spouse, may be issued the special license plate provided for in this subsection upon payment of the license tax imposed by s. 320.08.

(3) Each owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use; who is a resident of this state and who is the unremarried surviving spouse of a recipient of the Purple Heart medal ~~shall~~, upon application ~~therefor~~ to the department ~~accompanied by,~~ ~~with~~ the payment of the required fees, ~~shall~~ be issued a license plate as provided in s. 320.06, ~~on~~ which ~~is~~ license plate ~~are~~ stamped *with* the words "Purple Heart" and

the likeness of the Purple Heart medal followed by the serial number. Each application shall be accompanied by proof that the applicant is the unremarried surviving spouse of a recipient of the Purple Heart medal.

(4) The owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d) which ~~automobile, truck, or recreational vehicle~~ is not used for hire or commercial use; who is a resident of ~~this~~ the state and a current or former member of the United States Armed Forces, ~~and~~ who was deployed and served in Korea during the Korean War as defined in s. 1.01(14), ~~shall~~, upon application to the department, accompanied by proof of active membership or former active duty status during the Korean War; and ~~upon~~ payment of the license tax for the vehicle as provided in s. 320.08, ~~shall~~ be issued a license plate as provided by s. 320.06 ~~upon~~ which, in lieu of the registration license number prescribed by s. 320.06, ~~is shall be~~ stamped *with* the words "Korean War Veteran," and a likeness of the Korean Service Medal, followed by the registration license number of the plate. Proof that the applicant was awarded the Korean Service Medal is sufficient to establish eligibility for the license plate.

(5) The owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d) which ~~automobile, truck, or recreational vehicle~~ is not used for hire or commercial use; who is a resident of ~~this~~ the state and a current or former member of the United States military, ~~and~~ who was deployed and served in Vietnam during United States military deployment in Indochina ~~shall~~, upon application to the department; accompanied by proof of active membership or former active duty status during these operations; and ~~upon~~ payment of the license tax for the vehicle as provided in s. 320.08, ~~shall~~ be issued a license plate as provided by s. 320.06 ~~upon~~ which, in lieu of the registration license number prescribed by s. 320.06, ~~is shall be~~ stamped *with* the words "Vietnam War Veteran," and a likeness of the Vietnam Service Medal, followed by the registration license number of the plate. Proof that the applicant was awarded the Vietnam Service Medal is sufficient to establish eligibility for the license plate.

(6) The owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d) which ~~automobile, truck, or recreational vehicle~~ is not used for hire or commercial use who is a resident of ~~this~~ the state and a current or former member of the United States military who was deployed and served in Saudi Arabia, Kuwait, or another area of the Persian Gulf during Operation Desert Shield or Operation Desert Storm; in Afghanistan during Operation Enduring Freedom; or in Iraq during Operation Iraqi Freedom ~~shall~~, upon application to the department; accompanied by proof of active membership or former active duty status during one of these operations; and ~~upon~~ payment of the license tax for the vehicle as provided in s. 320.08, ~~shall~~ be issued a license plate as provided by s. 320.06 ~~upon~~ which, in lieu of the registration license number prescribed by s. 320.06, ~~is shall be~~ stamped *with* the words "Operation Desert Shield," "Operation Desert Storm," "Operation Enduring Freedom," or "Operation Iraqi Freedom," as appropriate, and a likeness of the related campaign medal followed by the registration license number of the plate. Proof that the applicant was awarded the Southwest Asia Service Medal, Iraq Campaign Medal, Afghanistan Campaign Medal, or Global War on Terrorism Expeditionary Medal is sufficient to establish eligibility for the appropriate license plate.

Section 2. This act shall take effect July 1, 2015.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to special license plates; amending s. 320.089, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue Woman Veteran, World War II Veteran, Navy Submariner, Combat Action Ribbon, Air Force Combat Action Medal, and Distinguished Flying Cross license plates; specifying qualifications and requirements for the plates; requiring that any revenue generated from the sale of Woman Veteran license plates be deposited into the Operations and Maintenance Trust Fund to be used for certain purposes; providing an effective date.

Pursuant to Rule 4.19, ~~CS for CS for~~ **HB 329**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 538—A bill to be entitled An act relating to the disclosure of sexually explicit images; creating s. 847.0136, F.S.; providing definitions; prohibiting an individual from electronically disclosing a sexually explicit image of an identifiable person with the intent to harass such person if the individual knows or should have known that such person did not consent to the disclosure; providing criminal penalties; providing for jurisdiction; providing exceptions; providing civil remedies; exempting providers of specified services; amending s. 921.244, F.S.; requiring a court to order that a person convicted of such offense be prohibited from having contact with the victim; providing criminal penalties for a violation of such order; providing that criminal penalties for certain offenses run consecutively with a sentence imposed for a violation of s. 847.0136, F.S.; reenacting s. 784.048(7), F.S., to incorporate the amendment made to s. 921.244, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 538** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for CS for SB 872—A bill to be entitled An act relating to estates; amending s. 733.106, F.S.; authorizing the court, if costs and attorney fees are to be paid from the estate under specified sections of law, to direct payment from a certain part of the estate or, under specified circumstances, to direct payment from a trust; authorizing costs and fees to be assessed against one or more persons' part of the trust in such proportions as the court finds just and proper; specifying factors that the court may consider in directing the assessment of such costs and fees; authorizing a court to assess costs and fees without finding that the person engaged in specified wrongful acts; amending s. 733.212, F.S.; revising the required content for a notice of administration; revising provisions that require an interested person, who has been served a notice of administration, to file specified objections in an estate matter within 3 months after service of such notice; providing that the 3-month period may only be extended for certain estoppel; providing that objections that are not barred by the 3-month period must be filed no later than a specified date; deleting references to objections based upon the qualifications of a personal representative; amending s. 733.2123, F.S.; conforming provisions to changes made by the act; amending s. 733.3101, F.S.; requiring a personal representative to resign immediately if he or she knows that he or she was not qualified to act at the time of appointment; requiring a personal representative who was qualified to act at such appointment to file a notice if no longer qualified; authorizing an interested person within a specified period to request the removal of a personal representative who files such notice; providing that a personal representative is liable for costs and attorney fees incurred in a removal proceeding if he or she is removed and should have known of the facts supporting the removal; defining the term "qualified"; amending s. 733.504, F.S.; requiring a personal representative to be removed and the letters of administration revoked if he or she was not qualified to act at the time of appointment; amending s. 733.617, F.S.; prohibiting an attorney or person related to the attorney from receiving compensation for serving as a personal representative if the attorney prepared or supervised execution of the will unless the attorney or person is related to the testator or the testator acknowledges in writing the receipt of certain disclosures; specifying the disclosures that must be acknowledged; specifying when an attorney is deemed to have prepared or supervised the execution of a will; specifying when a person is "related" to another individual; specifying when an attorney or person related to the attorney is deemed to be nominated as personal representative; providing that the provisions do not limit an interested person's rights or remedies at law or equity except for compensation payable to a personal representative; providing that the failure to obtain a written acknowledgment of the disclosure does not disqualify a personal representative from serving or affect the validity of a will; providing a form for the written acknowledgment; providing applicability; amending s. 733.817, F.S.; defining and redefining terms; deleting a provision that exempts an interest in protected homestead from the apportionment of taxes; providing for the payment of taxes on protected homestead family allowance and exempt property by certain other property to the extent such other property is sufficient; revising the allocation of taxes; revising the apportionment of the net tax attributable to specified interests; au-

thorizing a court to assess liability in an equitable manner under certain circumstances; providing that a governing instrument may not direct that taxes be paid from property other than property passing under the governing instrument, except under specified conditions; requiring that direction in a governing instrument be express to apportion taxes under certain circumstances; requiring that the right of recovery provided in the Internal Revenue Code for certain taxes be expressly waived in the decedent's will or revocable trust with certain specificity; specifying the property upon which certain tax is imposed for allocation and apportionment of certain tax; providing that a general statement in the decedent's will or revocable trust waiving all rights of reimbursement or recovery under the Internal Revenue Code is not an express waiver of certain rights of recovery; requiring direction to specifically reference the generation-skipping transfer tax imposed by the Internal Revenue Code to direct its apportionment; authorizing, under certain circumstances, the decedent to direct by will the amount of net tax attributable to property over which the decedent held a general power of appointment under certain circumstances; providing that an express direction in a revocable trust is deemed to be a direction contained in the decedent's will as well as the revocable trust under certain circumstances; providing that an express direction in the decedent's will to pay tax from the decedent's revocable trust by specific reference to the revocable trust is effective unless a contrary express direction is contained in the revocable trust; revising the resolution of conflicting directions in governing instruments with regard to payment of taxes; providing that the later express direction in the will or other governing instrument controls; providing that the date of an amendment to a will or other governing instrument is the date of the will or trust for conflict resolution only if the codicil or amendment contains an express tax apportionment provision or an express modification of the tax apportionment provision; providing that a will is deemed executed after another governing instrument if the decedent's will and another governing instrument were executed on the same date; providing that an earlier conflicting governing instrument controls as to any tax remaining unpaid after the application of the later conflicting governing instrument; providing that a grant of permission or authority in a governing instrument to request payment of tax from property passing under another governing instrument is not a direction apportioning the tax to the property passing under the other governing instrument; providing a grant of permission or authority in a governing instrument to pay tax attributable to property not passing under the governing instrument is not a direction apportioning the tax to property passing under the governing instrument; providing application; prohibiting the requiring of a personal representative or fiduciary to transfer to a recipient property that may be used for payment of taxes; amending s. 736.0708, F.S.; prohibiting an attorney or person related to the attorney from receiving compensation for serving as a trustee if the attorney prepared or supervised execution of the trust instrument unless the attorney or person is related to the settlor or the settlor acknowledges in writing the receipt of certain disclosures; specifying the disclosures that must be acknowledged; specifying when an attorney is deemed to have prepared or supervised the execution of a trust instrument; specifying when a person is "related" to another individual; specifying when an attorney or person related to the attorney is deemed to be appointed as trustee; providing that the provisions do not limit an interested person's rights or remedies at law or equity except for compensation payable to a trustee; providing that the failure to obtain a written acknowledgment of the disclosure does not disqualify a trustee from serving or affect the validity of a trust instrument; providing a form for the written acknowledgment; providing applicability; amending s. 736.1005, F.S.; authorizing the court, if attorney fees are to be paid from the trust under specified sections of law, to direct payment from a certain part of the trust; providing that fees may be assessed against one or more persons' part of the trust in such proportions as the court finds just and proper; specifying factors that the court may consider in directing the assessment of such costs; providing that a court may assess fees without finding that a person engaged specified wrongful acts; amending s. 736.1006, F.S.; authorizing the court, if costs are to be paid from the trust under specified sections of law, to direct payment from a certain part of the trust; providing that costs may be assessed against one or more persons' part of the trust in such proportions as the court finds just and proper; specifying factors that the court may consider in directing the assessment of such costs; providing that specified provisions of the act are remedial and intended to clarify existing law; providing for retroactive and prospective application of specified portions of the act; providing effective dates.

—was read the second time by title.

Senator Hukill moved the following amendments which were adopted:

Amendment 1 (388318) (with title amendment)—Delete lines 347-458.

And the title is amended as follows:

Delete lines 43-63 and insert: amending s.

Amendment 2 (733094) (with title amendment)—Delete lines 1032-1129.

And the title is amended as follows:

Delete lines 133-153 and insert: payment of taxes;

Amendment 3 (738696) (with title amendment)—Delete lines 1224-1225 and insert:

Section 14. This act shall take effect July 1, 2015.

And the title is amended as follows:

Delete line 175 and insert: portions of the act; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 872** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for CS for SB 766—A bill to be entitled An act relating to surveillance by a drone; amending s. 934.50, F.S.; defining terms; prohibiting a person, a state agency, or a political subdivision from using a drone to capture an image of privately owned real property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance without his or her written consent if a reasonable expectation of privacy exists; specifying when a reasonable expectation of privacy may be presumed; authorizing the use of a drone by a person or entity engaged in a business or profession licensed by the state in certain circumstances; authorizing the use of a drone by an employee or contractor of a property appraiser for the purpose of assessing property for ad valorem taxation; authorizing the use of a drone by or on behalf of certain utilities for specified purposes; providing that an owner, tenant, occupant, invitee, or licensee may initiate a civil action for compensatory damages and may seek injunctive relief against a person, a state agency, or a political subdivision that violates the act; providing for construction; providing for the recovery of attorney fees and punitive damages; specifying that remedies provided by the act are cumulative to other remedies; providing an effective date.

—was read the second time by title.

Senator Hukill moved the following amendment which was adopted:

Amendment 1 (641840) (with title amendment)—Delete lines 82-127 and insert:
from the air with the use of a drone.

(4) EXCEPTIONS.—This *section* ~~act~~ does not prohibit the use of a drone:

(a) To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates that there is such a risk.

(b) If the law enforcement agency first obtains a search warrant signed by a judge authorizing the use of a drone.

(c) If the law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent danger to life or serious damage to property, to forestall the imminent escape of a suspect or the destruction of evidence, or to achieve purposes including, but not limited to, facilitating the search for a missing person.

(d) *By a person or an entity engaged in a business or profession licensed by the state, or by an agent, employee, or contractor thereof, if the*

drone is used only to perform reasonable tasks within the scope of practice or activities permitted under such person's or entity's license. However, this exception does not apply to a profession in which the licensee's authorized scope of practice includes obtaining information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any society, person, or group of persons.

(e) *By an employee or a contractor of a property appraiser who uses a drone solely for the purpose of assessing property for ad valorem taxation.*

(f) *To capture images by or for an electric, water, or natural gas utility:*

1. *For operations and maintenance of utility facilities, including facilities used in the generation, transmission, or distribution of electricity, gas, or water, for the purpose of maintaining utility system reliability and integrity;*

2. *For inspecting utility facilities, including pipelines, to determine construction, repair, maintenance, or replacement needs before, during, and after construction of such facilities;*

3. *For assessing vegetation growth for the purpose of maintaining clearances on utility rights-of-way;*

4. *For utility routing, siting, and permitting for the purpose of constructing utility facilities or providing utility service; or*

5. *For conducting environmental monitoring, as provided by federal, state, or local law, rule, or permit.*

(g) *For aerial mapping, if the person or entity using a drone for this purpose is operating in compliance with Federal Aviation Administration regulations.*

(h) *To deliver cargo, if the person or entity using a drone for this purpose is operating in compliance with Federal Aviation Administration regulations.*

(i) *To capture images necessary for the safe operation or navigation of a drone that is being used for a purpose allowed under federal or Florida law.*

And the title is amended as follows:

Delete line 18 and insert: certain utilities for specified purposes; authorizing the use of a drone for aerial mapping under certain circumstances; authorizing the use of a drone for delivering cargo under certain circumstances; authorizing the use of a drone to capture certain images under certain circumstances; providing

Pursuant to Rule 4.19, **CS for CS for SB 766** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for SB 836—A bill to be entitled An act relating to the Florida Insurance Guaranty Association; amending s. 631.54, F.S.; defining the term "assessment year"; amending s. 631.57, F.S.; revising provisions relating to the levy of assessments on insurers by the Florida Insurance Guaranty Association; specifying conditions under which such assessments are paid; revising procedures and timeframes for the levying of the assessments; revising provisions relating to assessments that are premium and not subject to the premium tax; limiting an insurer's liability for uncollectible emergency assessments; deleting the requirement to file a final accounting report documenting the recoupment; revising an exemption for assessments; amending s. 631.64, F.S.; requiring charges or recoupments to be displayed separately on premium statements to policyholders and prohibiting their inclusion in rates; amending ss. 627.727 and 631.55, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 836** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 668—A bill to be entitled An act relating to the emergency fire rescue services and facilities surtax; amending s. 212.055, F.S.; revising the distribution of surtax proceeds; deleting a provision requiring the county governing authority to develop and execute interlocal agreements with local government entities providing emergency fire and rescue services; requiring a local government entity requesting and receiving certain personnel or equipment from another service provider to pay for such personnel or equipment from its share of surtax proceeds; deleting a provision requiring local government entities to enter into an interlocal agreement in order to receive surtax proceeds; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 668**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 209** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

On motion by Senator Latvala—

CS for CS for HB 209—A bill to be entitled An act relating to the emergency fire rescue services and facilities surtax; amending s. 212.055, F.S.; revising the distribution of surtax proceeds; deleting a provision requiring the county governing authority to develop and execute interlocal agreements with local government entities providing emergency fire and rescue services; requiring a local government entity requesting and receiving certain personnel or equipment from another service provider to pay for such personnel or equipment from its share of surtax proceeds; providing for application of funds if a local government entity receiving a share of the surtax is unable to further reduce ad valorem taxes; deleting a provision requiring local government entities to enter into an interlocal agreement in order to receive surtax proceeds; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 668** and read the second time by title.

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

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (685130)—Delete lines 56-64 and insert:

entity's average annual expenditures for fire control and emergency fire rescue services in the 5 fiscal years preceding the fiscal year in which the surtax takes effect in proportion to the average annual total of the expenditures for such entities in the 5 fiscal years preceding the fiscal year in which the surtax takes effect. The county shall revise the distribution proportions to reflect a change in the service area of an entity receiving a distribution of the surtax proceeds. If an entity declines its share of surtax revenue, such revenue shall be redistributed proportionally to the entities that are participating in the sharing of such revenue based on each participating entity's average annual expenditures for fire control and emergency fire rescue services in the preceding 5 fiscal years in proportion to the average annual total of the expenditures for the participating entities in the preceding 5 fiscal years ~~the participating~~

Pursuant to Rule 4.19, **CS for CS for HB 209**, as amended, was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 954—A bill to be entitled An act relating to involuntary examinations of minors; amending s. 381.0056, F.S.; revising the definition of the term “emergency health needs”; requiring school health services plans to include notification requirements when a student is removed from school, school transportation, or a school-sponsored activity for involuntary examination; amending s. 394.4599, F.S.; requiring a receiving facility to provide notice of the whereabouts of an adult or emancipated minor patient held for involuntary examination; providing conditions for delay in notification; requiring documentation of contact attempts; amending ss. 1002.20 and 1002.33, F.S.; requiring public school or charter school principals or their designees to provide notice of the whereabouts of a student removed from school, school transportation, or a school-sponsored activity for involuntary examination; providing conditions for delay in notification; requiring district school

boards and charter school governing boards to develop notification policies and procedures; providing an effective date.

—was read the second time by title.

Senator Garcia moved the following amendments which were adopted:

Amendment 1 (633106) (with title amendment)—Delete lines 66-154 and insert:

must include, at a minimum, provisions for *all of the following*:

1. Health appraisal;
2. Records review;
3. Nurse assessment;
4. Nutrition assessment;
5. A preventive dental program;
6. Vision screening;
7. Hearing screening;
8. Scoliosis screening;
9. Growth and development screening;
10. Health counseling;
11. Referral and followup of suspected or confirmed health problems by the local county health department;
12. Meeting emergency health needs in each school;
13. County health department personnel to assist school personnel in health education curriculum development;
14. Referral of students to appropriate health treatment, in cooperation with the private health community whenever possible;
15. Consultation with a student's parent or guardian regarding the need for health attention by the family physician, dentist, or other specialist when definitive diagnosis or treatment is indicated;
16. Maintenance of records on incidents of health problems, corrective measures taken, and such other information as may be needed to plan and evaluate health programs; except, however, that provisions in the plan for maintenance of health records of individual students must be in accordance with s. 1002.22;
17. Health information which will be provided by the school health nurses, when necessary, regarding the placement of students in exceptional student programs and the reevaluation at periodic intervals of students placed in such programs; ~~and~~
18. Notification to the local nonpublic schools of the school health services program and the opportunity for representatives of the local nonpublic schools to participate in the development of the cooperative health services plan; *and*.
19. *Immediate notification to a student's parent, guardian, or caregiver if the student is removed from school, school transportation, or a school-sponsored activity and taken to a receiving facility for an involuntary examination pursuant to s. 394.463, including the requirements established under ss. 1002.20(3) and 1002.33(9), as applicable.*

Section 2. Section 394.4599, Florida Statutes, is amended to read:

394.4599 Notice.—

(1) **VOLUNTARY ADMISSION PATIENTS**.—Notice of an individual's ~~a~~ voluntary patient's admission shall ~~only~~ be given *only* at the request of the *individual patient*, except that, in an emergency, notice shall be given as determined by the facility.

(2) **INVOLUNTARY ADMISSION PATIENTS**.—

(a) Whenever notice is required to be given under this part, such notice shall be given to the *individual patient* and the *individual's patient's* guardian, guardian advocate, *health care surrogate or proxy*, attorney, and representative.

1. When notice is required to be given to an *individual a-patient*, it shall be given both orally and in writing, in the language and terminology that the *individual patient* can understand, and, if needed, the facility shall provide an interpreter for the *individual patient*.

2. Notice to an *individual's a-patient's* guardian, guardian advocate, *health care surrogate or proxy*, attorney, and representative shall be given by ~~United States mail and by registered or certified mail with the date, time, and method of notice delivery documented in receipts attached to the patient's clinical record.~~ Hand delivery by a facility employee may be used as an alternative, with *the date and time of delivery* documented in the clinical record. If notice is given by a state attorney or an attorney for the department, a certificate of service ~~is shall be~~ sufficient to document service.

(b) A receiving facility shall give prompt notice of the whereabouts of an *individual a-patient* who is being involuntarily held for examination to the *individual's guardian, guardian advocate, health care surrogate or proxy, attorney or representative*, by telephone or in person within 24 hours after the *individual's patient's* arrival at the facility, ~~unless the patient requests that no notification be made.~~ Contact attempts shall be documented in the *individual's patient's* clinical record and shall begin as soon as reasonably possible after the *individual's patient's* arrival. ~~Notice that a patient is being admitted as an involuntary patient shall be given to the Florida local advocacy council no later than the next working day after the patient is admitted.~~

(c)1. A receiving facility shall give notice of the whereabouts of a minor who is being involuntarily held for examination pursuant to s. 394.463 to the minor's parent, guardian, caregiver, or guardian advocate, in person or by telephone or other form of electronic communication, immediately after the minor's arrival at the facility. The facility may delay notification for no more than 24 hours after the minor's arrival if the facility has submitted a report to the central abuse hotline, pursuant to s. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect and if the facility deems a delay in notification to be in the minor's best interest.

2. The receiving facility shall attempt to notify the minor's parent, guardian, caregiver, or guardian advocate until the receiving facility receives confirmation from the parent, guardian, caregiver, or guardian advocate, verbally, by telephone or other form of electronic communication, or by recorded message, that notification has been received. Attempts to notify the parent, guardian, caregiver, or guardian advocate must be repeated at least once every hour during the first 12 hours after the minor's arrival and once every 24 hours thereafter and must continue until such confirmation is received, unless the minor is released at the end of the 72-hour examination period, or until a petition for involuntary placement is filed with the court pursuant to s. 394.463(2)(i). The receiving facility may seek assistance from a law enforcement agency to notify the minor's parent, guardian, caregiver, or guardian advocate if the facility has not received within the first 24 hours after the minor's arrival a confirmation by the parent, guardian, caregiver, or guardian advocate that notification has been received. The receiving facility must document notification attempts in the minor's clinical record.

(d)(e) The written notice of the filing of the petition for involuntary placement of an *individual being held* must contain the following:

1. Notice that the petition has been filed with the circuit court in the county in which the *individual patient* is hospitalized and the address of such court.

2. Notice that the office of the public defender has been appointed to represent the *individual patient* in the proceeding, if the *individual patient* is not otherwise represented by counsel.

3. The date, time, and place of the hearing and the name of each examining expert and every other person expected to testify in support of continued detention.

4. Notice that the *individual patient*, the *individual's patient's* guardian, *guardian advocate, health care surrogate or proxy*, or repre-

sentative, or the administrator may apply for a change of venue for the convenience of the parties or witnesses or because of the condition of the *individual patient*.

5. Notice that the *individual patient* is entitled to an independent expert examination and, if the *individual patient* cannot afford such an examination, that the court will provide for one.

(e)(d) A treatment facility shall provide notice of an *individual's a-patient's* involuntary admission on the next regular working day after the *individual's patient's* arrival at the facility.

(f)(e) When an *individual a-patient* is to be transferred from one facility to another, notice shall be given by the facility where the *individual patient* is located ~~before prior to~~ the transfer.

And the title is amended as follows:

Delete lines 9-13 and insert: F.S.; including health care surrogates and proxies as individuals who may act on behalf of an individual involuntarily admitted to a facility; requiring a receiving facility to immediately notify the parent, guardian, caregiver, or guardian advocate of the whereabouts of a minor who is being held for involuntary examination; providing circumstances when notification may be delayed; requiring the receiving facility to make continuous notification attempts; authorizing the receiving facility to seek assistance from law enforcement under certain circumstances; requiring the receiving facility to document notification attempts in the minor's clinical record; amending ss.

Amendment 2 (491488)—Delete lines 171-187 and insert: *is removed if the principal or designee deems the delay to be in the student's best interest and if a report has been submitted to the central abuse hotline, pursuant to s. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect. Each district school board shall develop a policy and procedures for notification under this paragraph.*

Section 4. Paragraph (q) is added to subsection (9) of section 1002.33, Florida Statutes, to read:

1002.33 Charter schools.—

(9) CHARTER SCHOOL REQUIREMENTS.—

(q) *The charter school principal or the principal's designee shall immediately notify the parent of a student who is removed from school, school transportation, or a school-sponsored activity and taken to a receiving facility for an involuntary examination pursuant to s. 394.463. The principal or the principal's designee may delay notification for no more than 24 hours after the student is removed if the*

Pursuant to Rule 4.19, **CS for SB 954** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for SB 682—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S.; creating s. 400.997, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing license fees and application requirements; requiring accreditation of licensed facilities; creating s. 400.9973, F.S.; providing requirements for transitional living facility policies and procedures governing client admission, transfer, and discharge; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan and staffing requirements; requiring certain consent for continued treatment in a transitional living facility; creating s. 400.9975, F.S.; providing licensee responsibilities with respect to each client and specified others and requiring written notice of such responsibilities to be provided; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or taking other retaliatory action under certain circumstances; requiring the client and client's representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures governing the release of client information; creating s. 400.9976, F.S.; providing licensee requirements relating to administration of medication; requiring maintenance of medication administration records; providing requirements for the self-administration

of medication by clients; creating s. 400.9977, F.S.; providing training and supervision requirements for the administration of medications by unlicensed staff; specifying who may conduct the training; requiring licenses to adopt certain policies and procedures and maintain specified records with respect to the administration of medications by unlicensed staff; requiring the Agency for Health Care Administration to adopt rules; creating s. 400.9978, F.S.; providing requirements for the screening of potential employees and training and monitoring of employees for the protection of clients; requiring licenses to implement certain policies and procedures to protect clients; providing conditions for investigating and reporting incidents of abuse, neglect, mistreatment, or exploitation of clients; creating s. 400.9979, F.S.; providing requirements and limitations for the use of physical restraints, seclusion, and chemical restraint medication on clients; providing a limitation on the duration of an emergency treatment order; requiring notification of certain persons when restraint or seclusion is imposed; authorizing the agency to adopt rules; creating s. 400.998, F.S.; providing background screening requirements for licensee personnel; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9981, F.S.; providing licensee responsibilities with respect to the property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds or other property received by a licensee and credited to the client; providing a penalty for certain misuse of a client's personal funds, property, or personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the agency to adopt rules; creating s. 400.9982, F.S.; providing legislative intent; authorizing the agency to adopt and enforce rules establishing specified standards for transitional living facilities and personnel thereof; creating s. 400.9983, F.S.; classifying certain violations and providing penalties therefor; providing administrative fines for specified classes of violations; creating s. 400.9984, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9985, F.S.; requiring the agency, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic information systems for certain purposes; transferring and renumbering s. 400.805, F.S., as s. 400.9986, F.S.; repealing s. 400.9986, F.S., relating to transitional living facilities, on a specified date; revising the title of part V of ch. 400, F.S.; amending s. 381.745, F.S.; revising the definition of the term "transitional living facility," to conform to changes made by the act; amending s. 381.75, F.S.; revising the duties of the Department of Health and the agency relating to transitional living facilities; amending ss. 381.78, 400.93, 408.802, and 408.820, F.S.; conforming provisions to changes made by the act; reenacting s. 381.79(1), F.S., relating to the Brain and Spinal Cord Injury Program Trust Fund, to incorporate the amendment made by the act to s. 381.75, F.S., in a reference thereto; providing for the act's applicability to licensed transitional living facilities licensed on specified dates; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 682** was placed on the calendar of Bills on Third Reading.

SB 684—A bill to be entitled An act relating to convenience businesses; amending s. 812.171, F.S.; revising the term "convenience business"; amending s. 812.173, F.S.; conforming a provision to a change made by the act; amending s. 812.174, F.S.; deleting an obsolete provision; removing the requirement that a curriculum be submitted for re-approval biennially with a specified administrative fee; removing a requirement that specified curriculum be subject to reapproval 2 years from initial approval and biennially thereafter; making technical changes; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 684**, pursuant to Rule 3.11(3), there being no objection, **HB 755** was withdrawn from the Committees on Commerce and Tourism; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

On motion by Senator Grimsley—

HB 755—A bill to be entitled An act relating to convenience business security; amending s. 812.171, F.S.; revising the definition of the term "convenience business" to delete an exception for certain businesses in which the owner or family members work between specified hours; amending s. 812.173, F.S.; exempting certain businesses in which the owner or family members work between specified hours from specified requirements; amending s. 812.174, F.S.; deleting obsolete provisions; deleting administrative fees required to be submitted to the Attorney General with proposed and biennial robbery deterrence and safety training curriculum for convenience store employees; deleting a requirement for the Attorney General to biennially reapprove such curriculum; providing an effective date.

—a companion measure, was substituted for **SB 684** and read the second time by title.

Pursuant to Rule 4.19, **HB 755** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 640—A bill to be entitled An act relating to vital statistics; amending s. 382.002, F.S.; providing and revising definitions; amending s. 382.003, F.S.; authorizing the Department of Health to produce and maintain paper death certificates and fetal death certificates and issue burial-transit permits; amending s. 382.006, F.S.; requiring a funeral director to provide burial-transit permits to certain persons; deleting provisions requiring a funeral director to sign an application for a burial-transit permit and to provide certain information on the application; assigning responsibility for manually filed paper death records to the subregistrar; deleting a provision authorizing burial-transit permits filed with a local registrar to be destroyed after a certain period; authorizing the department to adopt rules; amending s. 382.007, F.S.; revising provisions relating to the final dispositions and records of final dispositions of dead bodies; requiring maintenance of records for a specified period; amending s. 382.008, F.S.; requiring electronic filing of death and fetal death certificates with the department or local registrar on a prescribed form; requiring the department, rather than the local registrar, to register the certificate; authorizing certain legally authorized persons to provide personal data about the deceased; authorizing the department, rather than the local registrar, to grant an extension of time for providing certain information regarding a death or a fetal death; amending s. 382.0085, F.S.; conforming a cross-reference; amending s. 382.011, F.S.; providing that a funeral director retains the responsibility to file a death or fetal death certificate with the department, rather than with the local registrar; amending s. 382.0135, F.S.; requiring the department to electronically notify the United States Social Security Administration of deaths in the state; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 640**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 243** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Fiscal Policy.

On motion by Senator Detert—

CS for HB 243—A bill to be entitled An act relating to vital statistics; amending s. 382.002, F.S.; providing and revising definitions; amending s. 382.003, F.S.; requiring the Department of Health to produce and maintain paper death certificates and fetal death certificates and issue burial-transit permits; amending s. 382.006, F.S.; providing responsibility of a funeral director for provision of electronic burial-transit permits or manually produced permits; providing responsibility of the subregistrar for manually filed paper death records; authorizing the department to adopt rules; amending s. 382.007, F.S.; revising provisions relating to records of final dispositions of dead bodies; requiring maintenance of records for a specified period; amending s. 382.008, F.S.; requiring electronic filing of death and fetal death certificates with the department or local registrar; authorizing certain legally authorized persons to provide personal data about the deceased; authorizing the department, rather than the local registrar, to grant an extension of time for providing certain information regarding a fetal death; amending s. 382.0085, F.S.; conforming a cross-reference; amending s. 382.011, F.S.; requiring a funeral director to file a death or fetal death certificate with the department, rather than with the local registrar; amending s. 382.0135, F.S.; requiring the department to electronically notify the

United States Social Security Administration of deaths in the state; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 640** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 243** was placed on the calendar of Bills on Third Reading.

SPECIAL GUESTS

Senator Montford recognized Bao Joseph, son of Cindy Brown, attorney with the Senate Committee on Judiciary, and his fellow classmates from Conley Elementary School who were present in the gallery.

INTRODUCTION OF FORMER SENATORS

Senator Latvala recognized former Senator John A. Grant, Jr. who was present in the chamber.

CS for CS for SB 338—A bill to be entitled An act relating to engineers; amending s. 471.003, F.S.; prohibiting a person who is not licensed as an engineer or a structural engineer from using specified names and titles or practicing engineering or structural engineering; exempting certain persons from the licensing requirements; amending s. 471.005, F.S.; providing definitions; amending s. 471.011, F.S.; establishing various fees for the examination and licensure of structural engineers; amending s. 471.013, F.S.; revising provisions authorizing the Board of Professional Engineers to refuse to certify an applicant due to lack of good moral character to include structural engineer licensure applicants, to conform; amending s. 471.015, F.S.; providing licensure and application requirements for a structural engineer license; exempting, under certain conditions, a structural engineer who applies for licensure before a specified date from passage of a certain national examination; requiring the board to certify certain applicants for licensure by endorsement; amending ss. 471.019 and 471.025, F.S.; revising continuing education requirements for reactivation of a license and provisions requiring an engineer with a revoked or suspended license to surrender his or her seal, respectively, to include structural engineers, to conform; amending s. 471.031, F.S.; prohibiting specified persons from using specified names and titles; amending s. 471.033, F.S.; providing various acts which constitute grounds for disciplinary action against a structural engineer, to which penalties apply; amending s. 471.037, F.S.; revising applicability, to conform to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 338**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 217** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Fiscal Policy.

On motion by Senator Altman—

CS for CS for HB 217—A bill to be entitled An act relating to engineers; amending s. 471.003, F.S.; prohibiting a person who is not licensed as an engineer or a structural engineer from using specified names and titles or practicing engineering or structural engineering; exempting certain persons from the licensing requirements; amending s. 471.005, F.S.; providing definitions; amending s. 471.011, F.S.; establishing various fees for the examination and licensure of structural engineers; amending s. 471.013, F.S.; revising provisions authorizing the Board of Professional Engineers to refuse to certify an applicant due to lack of good moral character to include structural engineer licensure applicants, to conform; amending s. 471.015, F.S.; providing licensure and application requirements for a structural engineer license; exempting under certain conditions a structural engineer who applies for licensure before a specified date from passage of a certain national examination; requiring the board to certify certain applicants for licensure by endorsement; amending ss. 471.019 and 471.025, F.S.; revising continuing education requirements for reactivation of a license and provisions requiring an engineer with a revoked or suspended license to surrender his or her seal, respectively, to include structural engineers, to

conform; amending s. 471.031, F.S.; prohibiting specified persons from using specified names and titles; amending s. 471.033, F.S.; providing various acts which constitute grounds for disciplinary action against a structural engineer, to which penalties apply; amending s. 471.037, F.S.; revising applicability, to conform to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 338** and read the second time by title.

Senator Altman moved the following amendment which was adopted:

Amendment 1 (790514) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (2) of section 471.003, Florida Statutes, are amended to read:

471.003 Qualifications for practice; exemptions.—

(1)(a) No person other than a duly licensed engineer shall practice engineering or use the name or title of “licensed engineer,” “professional engineer,” “registered engineer,” or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer in this state.

(b) *Beginning March 1, 2017, no person other than a duly licensed structural engineer shall practice structural engineering or use the name or title of “licensed structural engineer,” “professional structural engineer,” “registered structural engineer,” “structural engineer,” or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as a structural engineer in this state.*

(2) The following persons are not required to be licensed under the provisions of this chapter as a licensed engineer or structural engineer:

(a) Any person practicing engineering for the improvement of, or otherwise affecting, property legally owned by her or him, unless such practice involves a public utility or the public health, safety, or welfare or the safety or health of employees. This paragraph shall not be construed as authorizing the practice of engineering through an agent or employee who is not duly licensed under the provisions of this chapter.

(b)1. A person acting as a public officer employed by any state, county, municipal, or other governmental unit of this state when working on any project the total estimated cost of which is \$10,000 or less.

2. Persons who are employees of any state, county, municipal, or other governmental unit of this state and who are the subordinates of a person in responsible charge licensed under this chapter, to the extent that the supervision meets standards adopted by rule of the board.

(c) Regular full-time employees of a corporation not engaged in the practice of engineering as such, whose practice of engineering for such corporation is limited to the design or fabrication of manufactured products and servicing of such products.

(d) Regular full-time employees of a public utility or other entity subject to regulation by the Florida Public Service Commission, Federal Energy Regulatory Commission, or Federal Communications Commission.

(e) Employees of a firm, corporation, or partnership who are the subordinates of a person in responsible charge, licensed under this chapter.

(f) Any person as contractor in the execution of work designed by a professional engineer or structural engineer or in the supervision of the construction of work as a foreman or superintendent.

(g) A licensed surveyor and mapper who takes, or contracts for, professional engineering services incidental to her or his practice of surveying and mapping and who delegates such engineering services to a licensed professional engineer qualified within her or his firm or contracts for such professional engineering services to be performed by others who are licensed professional engineers under the provisions of this chapter.

(h) Any electrical, plumbing, air-conditioning, or mechanical contractor whose practice includes the design and fabrication of electrical, plumbing, air-conditioning, or mechanical systems, respectively, which she or he installs by virtue of a license issued under chapter 489, under part I of chapter 553, or under any special act or ordinance when working on any construction project which:

1. Requires an electrical or plumbing or air-conditioning and refrigeration system with a value of \$125,000 or less; and

2.a. Requires an aggregate service capacity of 600 amperes (240 volts) or less on a residential electrical system or 800 amperes (240 volts) or less on a commercial or industrial electrical system;

b. Requires a plumbing system with fewer than 250 fixture units; or

c. Requires a heating, ventilation, and air-conditioning system not to exceed a 15-ton-per-system capacity, or if the project is designed to accommodate 100 or fewer persons.

(i) Any general contractor, certified or registered pursuant to the provisions of chapter 489, when negotiating or performing services under a design-build contract as long as the engineering services offered or rendered in connection with the contract are offered and rendered by an engineer or structural engineer licensed in accordance with this chapter.

(j) Any defense, space, or aerospace company, whether a sole proprietorship, firm, limited liability company, partnership, joint venture, joint stock association, corporation, or other business entity, subsidiary, or affiliate, or any employee, contract worker, subcontractor, or independent contractor of the defense, space, or aerospace company who provides engineering for aircraft, space launch vehicles, launch services, satellites, satellite services, or other defense, space, or aerospace-related product or services, or components thereof.

Section 2. Subsections (14) and (15) are added to section 471.005, Florida Statutes, to read:

471.005 Definitions.—As used in this chapter, the term:

(14) “Licensed structural engineer,” “professional structural engineer,” “registered structural engineer,” or “structural engineer” means a person who is licensed to engage in the practice of structural engineering under this chapter.

(15) “Structural engineering” means an engineering service or creative work that includes the structural analysis and design of structural components or systems for threshold buildings as defined in s. 553.71. The term includes engineering, as defined in subsection (7), which requires significant structural engineering education, training, experience, and examination, as determined by the board.

Section 3. Subsections (1) and (6) of section 471.011, Florida Statutes, are amended to read:

471.011 Fees.—

(1) The board by rule may establish fees to be paid for applications, examination, reexamination, licensing and renewal, inactive status application and reactivation of inactive licenses, and recordmaking and recordkeeping. The board may also establish by rule a delinquency fee. The board shall establish fees that are adequate to ensure the continued operation of the board. Fees shall be based on department estimates of the revenue required to implement this chapter and the provisions of law with respect to the regulation of engineers and structural engineers.

(6) The fee for a temporary registration or certificate to practice engineering or structural engineering shall not exceed \$25 for an individual or \$50 for a business firm.

Section 4. Paragraph (a) of subsection (2) of section 471.013, Florida Statutes, is amended to read:

471.013 Examinations; prerequisites.—

(2)(a) The board may refuse to certify an applicant for failure to satisfy the requirement of good moral character only if:

1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a licensed engineer or structural engineer; and

2. The finding by the board of lack of good moral character is supported by clear and convincing evidence.

Section 5. Present subsections (3) through (7) of section 471.015, Florida Statutes, are redesignated as subsections (4) through (8), respectively, present subsection (3) is amended, and a new subsection (3) is added to that section, to read:

471.015 Licensure.—

(3)(a) *The management corporation shall issue a structural engineer license to any applicant who the board certifies as qualified to practice structural engineering and who:*

1. *Is licensed under this chapter as an engineer or is qualified for licensure as an engineer.*

2. *Submits an application in the format prescribed by the board.*

3. *Pays a fee established by the board under s. 471.011.*

4. *Provides satisfactory evidence of good moral character, as defined by the board.*

5. *Provides a record of 4 years of active structural engineering experience, as defined by the board, under the supervision of a licensed professional engineer.*

6. *Has successfully passed the National Council of Examiners for Engineering and Surveying Structural Engineering examination.*

(b) *Before September 1, 2016, an applicant who satisfies subparagraphs (a)1.-4. may satisfy subparagraphs (a)5. and 6. by:*

1. *Submitting a signed affidavit in the format prescribed by the board which states that the applicant is currently a licensed engineer in the state and has been engaged in the practice of structural engineering with a record of at least 4 years of active structural engineering design experience;*

2. *Possessing a current professional engineering license and filing the necessary documentation as required by the board, or possessing a current threshold inspector license; and*

3. *Agreeing to meet with the board or a representative of the board, upon the board's request, for the purpose of evaluating the applicant's qualifications for licensure.*

(c) *An applicant who is qualified for licensure as an engineer under s. 471.013 may simultaneously apply for licensure as a structural engineer if all requirements of s. 471.013 and this subsection are met.*

(4)(~~3~~) ~~The board shall certify as qualified for a license by endorsement an applicant who:~~

(a) *In engineering, by endorsement, an applicant who qualifies to take the fundamentals examination and the principles and practice examination as set forth in s. 471.013, has passed a United States national, regional, state, or territorial licensing examination that is substantially equivalent to the fundamentals examination and principles and practice examination required by s. 471.013, and has satisfied the experience requirements set forth in s. 471.013; or*

(b) *In engineering or structural engineering, by endorsement, an applicant who holds a valid license to practice engineering, or, for structural engineering, an applicant who holds a valid license to practice structural engineering, issued by another state or territory of the United States, if the criteria for issuance of the license were substantially the same as the licensure criteria that existed in this state at the time the license was issued; or*

(c) *In structural engineering, by endorsement, an applicant who holds a valid license to practice structural engineering issued by another state or territory of the United States and who has successfully passed one of the following 16-hour examination combinations:*

1. *The 8-hour National Council of Examiners for Engineering and Surveying Structural Engineering I examination and the 8-hour National Council of Examiners for Engineering and Surveying Structural Engineering II examination.*

2. *The 8-hour National Council of Examiners for Engineering and Surveying Structural Engineering II examination and the 8-hour National Council of Examiners for Engineering and Surveying Civil: Structural examination or the 8-hour National Council of Examiners for Engineering and Surveying Architectural Engineering examination.*

3. *The 16-hour Western States Structural Engineering examination.*

4. *The 8-hour National Council of Examiners for Engineering Structural Engineering II examination and the 8-hour California Structural Engineering Seismic III examination or the 8-hour Washington Structural Engineering III examination.*

Section 6. Section 471.019, Florida Statutes, is amended to read:

471.019 *Reactivation.*—The board shall prescribe by rule continuing education requirements for reactivating a license. The continuing education requirements for reactivating a license for a licensed engineer or structural engineer may not exceed 12 classroom hours for each year the license was inactive.

Section 7. Subsection (2) of section 471.025, Florida Statutes, is amended to read:

471.025 *Seals.*—

(2) It is unlawful for any person to seal or digitally sign any document with a seal or digital signature after his or her license has expired or been revoked or suspended, unless such license ~~is~~ ~~has been~~ reinstated or reissued. When an engineer's or structural engineer's license ~~is~~ ~~has been~~ revoked or suspended by the board, the licensee shall, within a period of 30 days after the revocation or suspension has become effective, surrender his or her seal to the executive director of the board and confirm to the executive director the cancellation of the licensee's digital signature in accordance with ss. 668.001-668.006. In the event the engineer's license has been suspended for a period of time, his or her seal shall be returned to him or her upon expiration of the suspension period.

Section 8. Present paragraphs (b) through (g) of subsection (1) of section 471.031, Florida Statutes, are redesignated as paragraphs (c) through (h), respectively, present paragraph (b) of that subsection is amended, and a new paragraph (b) is added to that subsection, to read:

471.031 *Prohibitions; penalties.*—

(1) A person may not:

(b) *Beginning March 1, 2017, practice structural engineering unless the person is licensed as a structural engineer or exempt from licensure under this chapter.*

(c)(b)1. Except as provided in subparagraph 2. or subparagraph 3., use the name or title "professional engineer" or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer when the person is not licensed under this chapter, including, but not limited to, the following titles: "agricultural engineer," "air-conditioning engineer," "architectural engineer," "building engineer," "chemical engineer," "civil engineer," "control systems engineer," "electrical engineer," "environmental engineer," "fire protection engineer," "industrial engineer," "manufacturing engineer," "mechanical engineer," "metallurgical engineer," "mining engineer," "minerals engineer," "marine engineer," "nuclear engineer," "petroleum engineer," "plumbing engineer," "structural engineer," "transportation engineer," "software engineer," "computer hardware engineer," or "systems engineer."

2. Any person who is exempt from licensure under s. 471.003(2)(j) may use the title or personnel classification of "engineer" in the scope of his or her work under that exemption if the title does not include or connote the term "*licensed engineer*," "professional engineer," "registered engineer," "*licensed professional engineer*," "~~licensed engineer~~," "registered professional engineer," "*licensed structural engineer*," "*professional structural engineer*," "*registered structural engineer*," or "*structural engineer*." or "~~licensed professional engineer~~."

3. Any person who is exempt from licensure under s. 471.003(2)(c) or (e) may use the title or personnel classification of "engineer" in the scope of his or her work under that exemption if the title does not include or connote the term "*licensed engineer*," "professional engineer," "registered engineer," "*licensed professional engineer*," "~~licensed engineer~~," "registered professional engineer," "*licensed structural engineer*," "*professional structural engineer*," "*registered structural engineer*," or "*structural engineer*," or "~~licensed professional engineer~~" and if that person is a graduate from an approved engineering curriculum of 4 years or more in a school, college, or university which has been approved by the board.

Section 9. Paragraphs (b) through (e) and (g) of subsection (1) and subsection (4) of section 471.033, Florida Statutes, are amended to read:

471.033 *Disciplinary proceedings.*—

(1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken:

(b) Attempting to procure a license to practice engineering or structural engineering by bribery or fraudulent misrepresentations.

(c) Having a license to practice engineering or structural engineering revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country; for any act that would constitute a violation of this chapter or chapter 455.

(d) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of engineering, structural engineering, or the ability to practice engineering or structural engineering.

(e) Making or filing a report or record that the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records include only those ~~which~~ ~~that~~ are signed in the capacity of a licensed engineer or licensed structural engineer.

(g) Engaging in fraud or deceit, negligence, incompetence, or misconduct; in the practice of engineering or structural engineering.

(4) The management corporation shall reissue the license of a disciplined engineer, structural engineer, or business upon certification by the board that the disciplined person has complied with all of the terms and conditions set forth in the final order.

Section 10. Subsection (1) of section 471.037, Florida Statutes, is amended to read:

471.037 *Effect of chapter locally.*—

(1) Nothing contained in this chapter shall be construed to repeal, amend, limit, or otherwise affect any local building code or zoning law or ordinance, now or hereafter enacted, which is more restrictive with respect to the services of licensed engineers or structural engineers than the provisions of this chapter.

Section 11. This act shall take effect July 1, 2015.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to engineers; amending s. 471.003, F.S.; prohibiting a person who is not licensed as an engineer or a structural engineer from using specified names and titles or practicing engineering or structural engineering; exempting certain persons from the licensing requirements; amending s. 471.005, F.S.; providing definitions; amending s. 471.011, F.S.; establishing various fees for the examination and licensure of structural engineers; amending s. 471.013, F.S.; revising provisions authorizing the Board of Professional Engineers to refuse to certify an applicant due to lack of good moral character to include structural engineer licensure applicants, to conform; amending s. 471.015, F.S.; providing licensure and application requirements for a structural engineer license; exempting, under certain conditions, a structural engineer who applies for licensure before a specified date from passage of a certain national examination; requiring the board to certify certain applicants for licensure by endorsement; amending ss. 471.019

and 471.025, F.S.; revising continuing education requirements for re-activation of a license and provisions requiring an engineer with a revoked or suspended license to surrender his or her seal, respectively, to include structural engineers, to conform; amending s. 471.031, F.S.; prohibiting specified persons from using specified names and titles; amending s. 471.033, F.S.; providing various acts which constitute grounds for disciplinary action against a structural engineer, to which penalties apply; amending s. 471.037, F.S.; revising applicability, to conform to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 217**, as amended, was placed on the calendar of Bills on Third Reading.

SB 266—A bill to be entitled An act relating to property appraisers; amending s. 195.087, F.S.; specifying that a property appraiser's operating budget is final and shall be funded by the county commission once the Department of Revenue makes its final budget amendments; specifying that the county commission remains obligated to fund the department's final property appraiser's operating budget during the pendency of an appeal to the Administration Commission; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 266**, pursuant to Rule 3.11(3), there being no objection, **HB 213** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Appropriations.

On motion by Senator Ring—

HB 213—A bill to be entitled An act relating to property appraisers; amending s. 195.087, F.S.; specifying that a property appraiser's operating budget is final and shall be funded by the county commission once the Department of Revenue makes its final budget amendments; specifying that the county commission remains obligated to fund the department's final property appraiser's operating budget during the pendency of an appeal to the Administration Commission; providing an effective date.

—a companion measure, was substituted for **SB 266** and read the second time by title.

Pursuant to Rule 4.19, **HB 213** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 674—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; defining the terms "identification and location information" and "servicemember"; providing an exemption from public records requirements for certain identification and location information of servicemembers and the spouses and dependents of servicemembers; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 674**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 185** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Rules.

On motion by Senator Evers—

CS for CS for CS for HB 185—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; defining the terms "identification and location information" and "servicemember"; providing an exemption from public records requirements for identification and location information of servicemembers and the spouses and dependents of servicemembers; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 674** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 185** was placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz de la Portilla—

CS for CS for SB 278—A bill to be entitled An act relating to downtown development districts; creating s. 189.056, F.S.; providing legislative intent; authorizing municipalities larger than a certain population and located in certain counties to levy an ad valorem tax on real and personal property in downtown development districts; specifying the purpose of such ad valorem tax; limiting the downtown development district's ad valorem millage rate; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 278** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 7066** and **CS for SB 746** was deferred.

CS for SB 768—A bill to be entitled An act relating to patient observation status notification; amending s. 395.301, F.S.; requiring a licensed facility to document observation services in a patient's discharge papers when the facility places the patient on observation status; requiring a licensed facility to notify a patient or patient's proxy of observation status through discharge papers; authorizing a licensed facility to notify a patient or patient's proxy of observation status through other forms of communication; providing an effective date.

—was read the second time by title.

On motion by Senator Gaetz, further consideration of **CS for SB 768** was deferred.

On motion by Senator Thompson—

CS for SB 746—A bill to be entitled An act relating to diabetes awareness training for law enforcement officers; providing a short title; creating s. 943.1726, F.S.; requiring the Department of Law Enforcement to establish an online continued employment training component relating to diabetic emergencies; specifying topics to be included in the instruction; providing that completion of the training may count towards continued employment instruction requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 746** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

SB 996—A bill to be entitled An act relating to home medical equipment; amending s. 400.93, F.S.; exempting allopathic, osteopathic, and chiropractic physicians who sell or rent electrostimulation medical equipment and supplies to their patients in the course of their practice from licensure as home medical equipment providers; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 996** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for SB 1098—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding certain substances to the Schedule I list of controlled substances; reenacting ss. 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c), 327.35(5), 440.102(11)(b), 458.3265(1)(e), 459.0137(1)(e), 782.04(1)(a) and (4), 893.0356(2)(a) and (5), 893.05(1),

893.12(2)(b),(c), and (d), 893.13(1)(a), (c), (d), (e), (f), and (h), (2)(a), (4)(b), (5)(b), and (7)(a), 893.135(1)(k) and (l), and 921.0022(3)(b), (c), and (e), F.S., relating to the definitions used in ch. 39, F.S., driving under the influence, suspension of driver licenses, boating under the influence, drug-free workplace programs, pain-management clinics, murder, controlled substance analogs, practitioners and persons administering controlled substances in their absence, contraband seizure and forfeiture, controlled substance offenses, offenses involving trafficking in controlled substances, and the offense severity ranking chart of the Criminal Punishment Code, respectively, to incorporate the amendment made to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1098** was placed on the calendar of Bills on Third Reading.

On motion by Senator Sobel—

CS for CS for SB 382—A bill to be entitled An act relating to assisted living facilities; amending s. 394.4574, F.S.; providing that Medicaid managed care plans are responsible for enrolled mental health residents; providing that managing entities under contract with the Department of Children and Families are responsible for mental health residents who are not enrolled with a Medicaid managed care plan; requiring that a community living support plan be completed and provided to the administrator of a facility within a specified period after the resident's admission; restricting the agency from imposing a fine if the facility has requested the community living support plan; requiring that the community living support plan be updated when there is a significant change to the mental health resident's behavioral health; requiring a mental health resident case manager to keep certain records of interactions with the resident and to make the records available for inspection; requiring retention of the records for a specified period; requiring the responsible entity to ensure monitoring and implementation of community living support plans and cooperative agreements; amending s. 400.0074, F.S.; requiring a local ombudsman council to conduct comprehensive onsite administrative assessments; requiring a local council to conduct an exit consultation with the facility administrator or administrator designee; amending s. 400.0078, F.S.; requiring that a long-term care resident or resident representative be informed of resident immunity from retaliatory action for presenting grievances or exercising resident rights; amending s. 409.212, F.S.; increasing the cap on additional supplementation that a person may receive under certain conditions; amending s. 429.02, F.S.; revising the definition of the term "limited nursing services"; amending s. 429.07, F.S.; requiring that an extended congregate care license be issued to certain facilities licensed as assisted living facilities under certain circumstances and authorizing the issuance of such a license if a specified condition is met; providing that the initial extended congregate care license is provisional under certain circumstances; requiring a licensee to notify the agency of acceptance of a resident who qualifies for extended congregate care services; requiring the agency to inspect the facility for compliance with license requirements; requiring the licensee to suspend extended congregate care services under certain circumstances; revising the frequency of monitoring visits to a facility by a registered nurse representing the agency; authorizing the agency to waive a required yearly monitoring visit under certain circumstances; authorizing the agency to deny or revoke a facility's extended congregate care license; authorizing the agency to waive the required yearly monitoring visit for a facility that is licensed to provide limited nursing services under certain circumstances; amending s. 429.075, F.S.; requiring an assisted living facility that serves mental health residents to obtain a limited mental health license; requiring a limited mental health facility to provide written evidence that certain documentation was sent to the department within a specified period; amending s. 429.14, F.S.; requiring the agency to deny or revoke the license of an assisted living facility under certain circumstances; requiring the agency to impose an immediate moratorium on the license of an assisted living facility under certain circumstances; deleting a requirement that the agency provide a list of facilities with denied, suspended, or revoked licenses to the Department of Business and Professional Regulation; exempting a facility from the 45-day notice requirement if it is required to relocate residents; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; requiring the agency to levy a fine for violations that are corrected before an inspection if noncompliance occurred within a specified period of time; requiring the agency to double fine amounts under certain cir-

cumstances; amending s. 429.256, F.S.; revising the term "assistance with self-administration of medication" as it relates to the Assisted Living Facilities Act; amending s. 429.27, F.S.; revising the amount of cash for which a facility may provide safekeeping for a resident; amending s. 429.28, F.S.; providing notice requirements regarding confidentiality of resident identity in a complaint made to the State Long-Term Care Ombudsman Program or a local long-term care ombudsman council and immunity from retaliatory action for presenting grievances or exercising resident rights; requiring the agency to adopt rules; providing a fine if a facility terminates an individual's residency after the filing of a complaint if good cause is not shown for the termination; amending s. 429.34, F.S.; requiring certain persons to report elder abuse in assisted living facilities; requiring the agency to regularly inspect a licensed assisted living facility; requiring the agency to conduct periodic inspections; amending s. 429.41, F.S.; providing that certain staffing requirements apply only to residents in continuing care facilities who are receiving certain services; amending s. 429.52, F.S.; requiring each newly hired employee of an assisted living facility to attend a preservice orientation; requiring the employee and administrator to sign a statement of completion and keep the statement in the employee's personnel record; requiring additional hours of training for assistance with medication; creating s. 429.55, F.S.; directing the agency to create an assisted living facility consumer information website; providing criteria for webpage content; providing content requirements; authorizing the agency to adopt rules; providing an effective date.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Senator Sobel moved the following amendments which were adopted:

Amendment 1 (595190)—Delete lines 185-186 and insert:
health status. Each case manager

Amendment 2 (316148)—Delete lines 644-649 and insert:
may not restrict agency staff in accessing and copying records, at the agency's expense, or in conducting confidential interviews with facility staff or any individual who receives services from the facility provide to the

Amendment 3 (967822) (with directory and title amendments)—Delete lines 693-697 and insert:

(e) Regardless of the class of violation cited, instead of

And the directory clause is amended as follows:

Delete line 684 and insert:

Section 10. Paragraph (e) is added to subsection

And the title is amended as follows:

Delete lines 77-81 and insert: requiring the Agency for Health Care Administration to impose a fine if a facility is not in compliance with certain background screening requirements; amending s. 429.256,

Senator Sobel moved the following amendment:

Amendment 4 (781446) (with directory amendment)—Between lines 773 and 774 insert:

(3)(a) The agency shall conduct a survey to determine general compliance with facility standards and compliance with residents' rights as a prerequisite to initial licensure or licensure renewal. *The agency shall adopt rules for uniform standards and criteria that will be used to determine compliance with facility standards and residents' rights.*

And the directory clause is amended as follows:

Delete line 751 and insert:

Section 13. Subsections (2), (5), and (6) and paragraph (a) of subsection (3) of section

Senator Sobel moved the following amendment to **Amendment 4 (781446)** which was adopted:

Amendment 4A (595356)—Delete line 8 and insert: licensure renewal. *The agency shall adopt rules in consultation with the department for uniform*

Amendment 4 (781446) as amended was adopted.

Senator Sobel moved the following amendment which was adopted:

Amendment 5 (344122)—Delete lines 895-898 and insert: *create a content link that is easily accessible and prominently displayed on the home page of the agency's website to provide consumer information on assisted living facilities. The website must be searchable by facility name,*

Pursuant to Rule 4.19, **CS for CS for SB 382** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for SB 1388—A bill to be entitled An act relating to special districts; amending s. 11.40, F.S.; conforming cross-references; amending s. 189.011, F.S.; revising legislative intent with respect to the Uniform Special District Accountability Act to include independent and dependent special districts; amending s. 189.016, F.S., deleting a provision requiring a special district to transmit certain budgets to the local government instead of posting such information on the special district's website under specific circumstances; specifying the period in which certain budget information must be posted on the special district's website; amending s. 189.02, F.S.; specifying the Legislature's authority to create dependent special districts by special act; creating s. 189.022, F.S.; requiring a newly created dependent special district, and authorizing an existing dependent special district, to identify the district as dependent in its charter; amending s. 189.031, F.S.; requiring a newly created independent special district, and authorizing an existing independent special district, to identify the district as independent in its charter; transferring, renumbering, and amending ss. 189.034 and 189.035, F.S., deleting provisions requiring that special districts created by special act provide specified information to the Legislative Auditing Committee or requiring that special districts created by local ordinance provide specified information to the local general-purpose government, to conform; deleting related provisions requiring the Legislative Auditing Committee to provide certain notice to the Legislature or local general-purpose government, as appropriate, when a special district fails to file certain required reports or requested information, to conform; amending s. 189.061, F.S.; conforming provisions; amending s. 189.064, F.S.; revising the required content of the special district handbook; creating s. 189.0653, F.S.; requiring special districts created by special act or local ordinance to provide specified information to the Legislative Auditing Committee or local general-purpose government, as appropriate; amending s. 189.067, F.S.; conforming cross-references; amending s. 189.068, F.S.; specifying that local general-purpose governments may review certain special districts; conforming cross-references; amending s. 189.069, F.S.; deleting a cross-reference, to conform; revising the list of items required to be included on the websites of special districts; reenacting ss. 165.0615(16) and 189.074(2)(e) and (3)(g), F.S., relating to municipal conversion of independent special districts upon elector-initiated and approved referendum and the voluntary merger of independent special districts, respectively, to incorporate the amendment made by the act to s. 189.016, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (345974) (with title amendment)—Delete lines 380-540 and insert:

Section 11. Subsection (1) of section 189.062, Florida Statutes, is amended to read:

189.062 Special procedures for inactive districts.—

(1) The department shall declare inactive any special district in this state by documenting that:

(a) The special district meets one of the following criteria:

1. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has taken no action for 2 or more years;

2. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has not had a governing body or a sufficient number of governing body members to constitute a quorum for 2 or more years;

3. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government fails to respond to an inquiry by the department within 21 days;

4. The department determines, pursuant to s. 189.067, that the district has failed to file any of the reports listed in s. 189.066;

5. The district has not had a registered office and agent on file with the department for 1 or more years; or

6. The governing body of a special district provides documentation to the department that it has unanimously adopted a resolution declaring the special district inactive. The special district ~~is shall be~~ responsible for payment of any expenses associated with its dissolution. A special district declared inactive pursuant to this subparagraph may be dissolved without a referendum; ~~or~~

(b) The department, special district, or local general-purpose government published a notice of proposed declaration of inactive status in a newspaper of general circulation in the county or municipality in which the territory of the special district is located and sent a copy of such notice by certified mail to the registered agent or chair of the governing body, if any. Such notice must include the name of the special district, the law under which it was organized and operating, a general description of the territory included in the special district, and a statement that any objections must be filed pursuant to chapter 120 within 21 days after the publication date; and

(c) Twenty-one days have elapsed from the publication date of the notice of proposed declaration of inactive status and no administrative appeals were filed.

Section 12. Subsections (1), (2), and (3) of section 189.064, Florida Statutes, are amended to read:

189.064 Special District Accountability Program; duties and responsibilities.—The Special District Accountability Program of the department has the following duties:

(1) Electronically publishing special district noncompliance status reports from the Department of *Management Services*, the Department of Financial Services, the Division of Bond Finance of the State Board of Administration, the Auditor General, and the Legislative Auditing Committee, for the reporting required in ss. 112.63, 218.32, 218.38, and 218.39. The noncompliance reports must list those special districts that did not comply with the statutory reporting requirements and be made available to the public electronically.

(2) Maintaining the official list of special districts *as set forth in s. 189.061*.

(3) Publishing and updating of a "Florida Special District Handbook" that contains, at a minimum:

(a) A section that specifies definitions of special districts and status distinctions in the statutes.

(b) A section or sections that specify current statutory provisions for special district creation, implementation, modification, dissolution, and operating procedures.

(c) A section that summarizes the reporting requirements applicable to all types of special districts as provided in ss. 189.015 and 189.016.

(d) A section that summarizes the public facilities reporting requirements and the evaluation and appraisal notification schedule as provided in s. 189.08(2).

Section 13. Section 189.0653, Florida Statutes, is created to read:

189.0653 Public hearing on noncompliance.—Before the public hearing as provided in s. 189.0651(2) or s. 189.0652(2) is held, the special district shall provide the following information at the request of the local general-purpose government or the Legislative Auditing Committee, as appropriate:

- (1) *The district's annual financial report for the previous fiscal year.*
- (2) *The district's audit report for the previous fiscal year.*
- (3) *Minutes of meetings of the special district's governing body for the previous fiscal year and the current fiscal year to date.*
- (4) *A report for the previous fiscal year providing the following information:*
 - (a) *The purpose of the special district.*
 - (b) *The sources of funding for the special district.*
 - (c) *A description of the major activities, programs, and initiatives that the special district undertook in the most recently completed fiscal year and the benchmarks or criteria under which the success or failure of the district was or will be determined by its governing body.*
 - (d) *Any challenges or obstacles faced by the special district in fulfilling its purpose and related responsibilities.*
 - (e) *Ways in which the special district's governing body believes that it could better fulfill the special district's purpose and a description of the actions that it intends to take.*
 - (f) *Proposed changes to the special act, ordinance, or resolution, as appropriate, which established the special district and justification for such changes.*
 - (g) *Any other information reasonably required to provide the reviewing entity with an accurate understanding of the purpose of the special district and how the special district is fulfilling that purpose.*
 - (h) *Any reasons for the district's noncompliance resulting in the public hearing.*
 - (i) *Whether the district is currently in compliance.*
 - (j) *Plans to correct any recurring issues of noncompliance.*
 - (k) *Efforts to promote transparency, including a statement indicating whether the district's website complies with s. 189.069.*

Section 14. Subsection (2) of section 189.067, Florida Statutes, is amended to read:

189.067 Failure of district to disclose financial reports.—

(2) Failure of a special district to comply with the actuarial and financial reporting requirements under s. 112.63, s. 218.32, or s. 218.39 after the procedures of subsection (1) are exhausted shall be deemed final action of the special district. The actuarial and financial reporting requirements are declared to be essential requirements of law. Remedies for noncompliance with ss. 218.32 and 218.39 shall be as provided in ss. 189.0651 and 189.0652 ~~ss. 189.034 and 189.035~~. Remedy for noncompliance with s. 112.63 shall be as set forth in subsection (4).

Section 15. Paragraphs (a), (b), and (c) of subsection (2) of section 189.068, Florida Statutes, are amended to read:

189.068 Special districts; authority for oversight; general oversight review process.—

(2) Special districts may be reviewed for general oversight purposes under this section as follows:

(a) All special districts created by special act may be reviewed by the Legislature using the public hearing process provided in s. 189.0651(2) ~~189.034~~.

(b) All special districts created by local ordinance or resolution may be reviewed by the local general-purpose government that enacted the ordinance or resolution using the public hearing process provided in s. 189.0652(2) ~~189.035~~.

(c) All dependent special districts *not created by special act* may be reviewed by the local general-purpose government *upon* ~~to~~ which they are dependent.

Section 16. Section 189.069, Florida Statutes, is amended to read:

189.069 Special districts; required reporting of information; web-based public access.—

(1) Beginning on October 1, 2015, or by the end of the first full fiscal year after its creation, each special district shall maintain an official Internet website containing the information required by this section ~~in accordance with s. 189.016~~. Special districts shall submit their official Internet website addresses to the department.

(a) Independent special districts shall maintain a separate Internet website.

(b) Dependent special districts shall be *prominently* ~~preeminently~~ displayed on the home page of the Internet website of the local general-purpose government *upon which they are dependent* ~~that created the special district~~ with a hyperlink to such webpages as are necessary to provide the information required by this section. Dependent special districts may maintain a separate Internet website providing the information required by this section.

(2)(a) A special district shall post the following information, at a minimum, on the district's official website:

1. The full legal name of the special district.
2. The public purpose of the special district.
3. The name, address, e-mail address, and, if applicable, the term and appointing authority for each member of the governing body of the special district.
4. The fiscal year of the special district.
5. The full text of the special district's charter, the date of establishment, the establishing entity, and the statute or statutes under which the special district operates, if different from the statute or statutes under which the special district was established. Community development districts may reference chapter 190 as the uniform charter, but must include information relating to any grant of special powers.
6. The mailing address, e-mail address, telephone number, and Internet website uniform resource locator of the special district.
7. A description of the boundaries or service area of, and the services provided by, the special district.
8. A listing of all taxes, fees, assessments, or charges imposed and collected by the special district, including the rates or amounts for the fiscal year and the statutory authority for the levy of the tax, fee, assessment, or charge. For purposes of this subparagraph, charges do not include patient charges by a hospital or other health care provider.
9. The primary contact information for the special district for purposes of communication from the department.
10. A code of ethics adopted by the special district, if applicable, and a hyperlink to generally applicable ethics provisions.
11. The budget of *the each* special district, *and any* ~~in addition to~~ amendments *thereto* in accordance with s. 189.016.
12. The final, complete audit report for the most recent completed fiscal year, and audit reports required by law or authorized by the governing body of the special district.

13. *A listing of its regularly scheduled public meetings for the year. The schedule must include the date, time, and location of each such meeting.*

14. *The public facilities report, if applicable.*

15. *The link to the Department of Financial Services'*

And the title is amended as follows:

Between lines 36 and 37 insert: 189.062, F.S.; making technical changes; amending s.

Pursuant to Rule 4.19, **CS for SB 1388** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for SB 636—A bill to be entitled An act relating to public accountancy; amending s. 473.302, F.S.; revising the definition of the term “licensed audit firm”; amending s. 473.309, F.S.; revising practice requirements for partnerships, corporations, and limited liability companies; amending s. 473.3101, F.S.; revising provisions relating to the licensure of firms and public accounting firms; amending s. 473.316, F.S.; revising the definition of the term “quality review” to include a peer review; amending ss. 473.3125 and 473.322, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 636** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for CS for CS for SB 736—A bill to be entitled An act relating to residential properties; amending ss. 718.116, 719.108, and 720.30851, F.S.; revising requirements relating to the issuance of an estoppel certificate to specified persons; requiring that an estoppel certificate contain certain information; providing an effective period for a certificate based upon the date of issuance and form of delivery; providing that the association waives a specified claim against a person or such person’s successors or assigns who rely on the certificate in good faith; authorizing a summary proceeding to be brought to compel an association to prepare or deliver an estoppel certificate; specifying the maximum amounts an association may charge for an estoppel certificate; providing that the authority to charge a fee for the estoppel certificate must be established by a specified written resolution or provided by a written management, bookkeeping, or maintenance contract; deleting obsolete provisions; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senators Negron and Latvala offered the following amendment which was moved by Senator Latvala:

Amendment 1 (706802)—Delete lines 82-269 and insert:
the estoppel certificate may not exceed \$150 if on the date the certificate is issued, no delinquent amounts are owed to the association for the applicable unit. If an estoppel certificate is requested on an expedited basis and delivered within 3 business days after the request, the association may charge an additional fee of \$100. If delinquent amounts are owed to the association for the applicable unit, an additional fee for the estoppel certificate may not exceed \$200. The association may not charge a fee for an estoppel certificate that is issued more than 10 business days after it receives the request for the certificate. The maximum allowable fees charged in accordance with this section shall be adjusted every 3 years in an amount equal to the annual increases for that 3-year period in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items. The amount of the fee must be included on the certificate.

2. *If the estoppel certificate is requested in conjunction with the sale or refinancing of a unit, the fee for the certificate shall be paid to the association from the closing or settlement proceeds. If the closing does not occur, the fee for the certificate is the obligation of the unit owner, and the association may collect the fee in the same manner as an assessment against the unit. An association may not require the payment of any other fees as a condition for the preparation or delivery of an estoppel certificate.*

~~(f)(d)~~ *The authority to charge a fee for the estoppel certificate must shall be established by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract and is payable upon the preparation of the certificate. If the certificate is requested in conjunction with the sale or mortgage of a unit but the closing does not occur and no later than 30 days after the closing date for which the certificate was sought the preparer receives a written request, accompanied by reasonable documentation, that the sale did not occur from a payor that is not the unit owner, the fee shall be refunded to that payor within 30 days after receipt of the request. The refund is the obligation of the unit owner, and the association may collect it from that owner in the same manner as an assessment as provided in this section.*

Section 2. Subsection (6) of section 719.108, Florida Statutes, is amended to read:

719.108 Rents and assessments; liability; lien and priority; interest; collection; cooperative ownership.—

(6) *An association shall issue an estoppel certificate to a unit owner or the unit owner’s designee or a unit mortgagee or the unit mortgagee’s designee within 10 business 15 days after receiving a written or electronic request for the certificate. The estoppel certificate must be delivered by mail, by hand delivery, or by electronic means to the requester on the date of issuance.*

(a) *The estoppel certificate must contain all of the following:*

1. *The date of issuance.*

2. *The amount of all assessments and other moneys owed to the association by the unit owner for a specific unit on the date of issuance. This amount is limited to the amounts authorized to be recorded in the official records of the association under s. 719.104(2).*

3. *The amount of any additional assessments and other moneys that are scheduled to become due for each day after the date of issuance for the 30-day or 35-day effective period of the estoppel certificate. This amount is limited to the amounts authorized to be recorded in the official records of the association under s. 719.104(2). In calculating the amounts that are scheduled to become due, the association may assume that any delinquent amounts will remain delinquent during the effective period of the estoppel certificate.*

4. *The amount of any fee charged by the association for preparing and delivering the estoppel certificate. This fee is in addition to any other amounts on the estoppel certificate.*

5. *The signature of an officer or agent of the association.*

(b) *An estoppel certificate that is delivered on the date of issuance has a 30-day effective period. An estoppel certificate that is mailed to the requester has a 35-day effective period.*

(c) *An association waives the right to collect any moneys owed in excess of the amounts specified in the estoppel certificate from any person who in good faith relies upon the estoppel certificate and from that person’s successors and assigns.*

~~(d) A summary proceeding pursuant to s. 51.011 may be brought to compel compliance with this subsection, and in any such action the prevailing party is entitled to recover reasonable attorney fees by a unit owner or mortgagee, the association shall provide a certificate stating all assessments and other moneys owed to the association by the unit owner with respect to the cooperative parcel. Any person other than the unit owner who relies upon such certificate shall be protected thereby.~~

(e)1. *Notwithstanding any limitation on transfer fees contained in s. 719.106(1)(i), an the association or its authorized agent may charge a reasonable fee, which may not exceed its reasonable costs to prepare and deliver for the preparation of the estoppel certificate. However, the fee for the estoppel certificate may not exceed \$150 if on the date the certificate is issued, no delinquent amounts are owed to the association for the applicable unit. If an estoppel certificate is requested on an expedited basis and delivered within 3 business days after the request, the association may charge an additional fee of \$100. If delinquent amounts are owed to the association for the applicable unit, an additional fee for the estoppel certificate may not exceed \$200. The association may not charge a fee for an estoppel certificate that is issued more than 10 business days after it*

receives a request for the certificate. The maximum allowable fees charged in accordance with this section shall be adjusted every 3 years in an amount equal to the annual increases for that 3-year period in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items.

2. If the estoppel certificate is requested in conjunction with the sale or refinancing of a unit, the fee for the certificate shall be paid to the association from the closing or settlement proceeds. If the closing does not occur, the fee for the certificate is the obligation of the unit owner, and the association may collect the fee in the same manner as an assessment against the unit. An association may not require the payment of any other fees as a condition for the preparation or delivery of an estoppel certificate.

(f) The authority to charge a fee for the estoppel certificate must be established by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract.

Section 3. Section 720.30851, Florida Statutes, is amended to read:

720.30851 Estoppel certificates.—An association shall issue an estoppel certificate to a parcel owner or the parcel owner's designee or a mortgagee or the mortgagee's designee within 10 business 15 days after receiving a written or electronic request for the certificate. The estoppel certificate must be delivered by mail, by hand delivery, or by electronic means to the requester on the date of issuance.

(1) The estoppel certificate must contain all of the following:

(a) The date of issuance.

(b) The amount of all assessments and other moneys owed to the association by the parcel owner for a specific parcel as recorded on the date of issuance. This amount is limited to amounts authorized by statute to be recorded in the official records of the association under s. 720.303(4).

(c) The amount of any additional assessments and other moneys that are scheduled to become due for each day after the date of issuance for the 30-day or 35-day effective period of the estoppel certificate. This amount is limited to amounts authorized by statute to be recorded in the official records of the association under s. 720.303(4). In calculating the amounts that are scheduled to become due, the association may assume that any delinquent amounts will remain delinquent during the effective period of the estoppel certificate.

(d) The amount of any fee charged by the association for preparing and delivering the estoppel certificate. This fee is in addition to any other amounts on the certificate.

(e) The signature of an officer or agent of the association.

(2) An estoppel certificate that is delivered on the date of issuance has a 30-day effective period. An estoppel certificate that is mailed to the requester has a 35-day effective period.

(3) An association waives the right to collect any moneys owed in excess of the amounts specified in the estoppel certificate from any person who in good faith relies upon the estoppel certificate and from that person's successors and assigns the date on which a request for an estoppel certificate is received from a parcel owner or mortgagee, or his or her designee, the association shall provide a certificate signed by an officer or authorized agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel. An association may charge a fee for the preparation of such certificate, and the amount of such fee must be stated on the certificate.

~~(1) Any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof.~~

(4)(2) A summary proceeding pursuant to s. 51.011 may be brought to compel compliance with this section, and the prevailing party is entitled to recover reasonable attorney attorney's fees.

(5)(a) An association or its agent may charge a fee, which may not exceed its reasonable costs to prepare and deliver the estoppel certificate. However, the fee for the estoppel certificate may not exceed \$150 if on the date the certificate is issued, no delinquent amounts are owed to the association for the applicable parcel. If an estoppel certificate is requested on an expedited basis and delivered within 3 business days after the request,

the association may charge an additional fee of \$100. If delinquent amounts are owed to the association for the applicable parcel, an additional fee for the certificate may not exceed \$200. The association may not charge a fee for an

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

Senators Negron and Latvala offered the following substitute amendment which was moved by Senator Latvala and adopted:

Amendment 2 (465792)—Delete lines 82-269 and insert:
the estoppel certificate may not exceed \$200 if on the date the certificate is issued, no delinquent amounts are owed to the association for the applicable unit. If an estoppel certificate is requested on an expedited basis and delivered within 3 business days after the request, the association may charge an additional fee of \$100. If delinquent amounts are owed to the association for the applicable unit, an additional fee for the estoppel certificate may not exceed \$200. The association may not charge a fee for an estoppel certificate that is issued more than 10 business days after it receives the request for the certificate. The maximum allowable fees charged in accordance with this section shall be adjusted every 3 years in an amount equal to the annual increases for that 3-year period in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items. ~~The amount of the fee must be included on the certificate.~~

2. If the estoppel certificate is requested in conjunction with the sale or refinancing of a unit, the fee for the certificate shall be paid to the association from the closing or settlement proceeds. If the closing does not occur, the fee for the certificate is the obligation of the unit owner, and the association may collect the fee in the same manner as an assessment against the unit. An association may not require the payment of any other fees as a condition for the preparation or delivery of an estoppel certificate.

~~(f)(d)~~ The authority to charge a fee for the estoppel certificate must ~~shall~~ be established by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract ~~and is payable upon the preparation of the certificate. If the certificate is requested in conjunction with the sale or mortgage of a unit but the closing does not occur and no later than 30 days after the closing date for which the certificate was sought the preparer receives a written request, accompanied by reasonable documentation, that the sale did not occur from a payor that is not the unit owner, the fee shall be refunded to that payor within 30 days after receipt of the request. The refund is the obligation of the unit owner, and the association may collect it from that owner in the same manner as an assessment as provided in this section.~~

Section 2. Subsection (6) of section 719.108, Florida Statutes, is amended to read:

719.108 Rents and assessments; liability; lien and priority; interest; collection; cooperative ownership.—

(6) An association shall issue an estoppel certificate to a unit owner or the unit owner's designee or a unit mortgagee or the unit mortgagee's designee within 10 business 15 days after receiving a written or electronic request for the certificate. The estoppel certificate must be delivered by mail, by hand delivery, or by electronic means to the requester on the date of issuance.

(a) The estoppel certificate must contain all of the following:

1. The date of issuance.

2. The amount of all assessments and other moneys owed to the association by the unit owner for a specific unit on the date of issuance. This amount is limited to the amounts authorized to be recorded in the official records of the association under s. 719.104(2).

3. The amount of any additional assessments and other moneys that are scheduled to become due for each day after the date of issuance for the 30-day or 35-day effective period of the estoppel certificate. This amount is limited to the amounts authorized to be recorded in the official records of the association under s. 719.104(2). In calculating the amounts that are scheduled to become due, the association may assume that any delinquent amounts will remain delinquent during the effective period of the estoppel certificate.

4. The amount of any fee charged by the association for preparing and delivering the estoppel certificate. This fee is in addition to any other amounts on the estoppel certificate.

5. The signature of an officer or agent of the association.

(b) An estoppel certificate that is delivered on the date of issuance has a 30-day effective period. An estoppel certificate that is mailed to the requester has a 35-day effective period.

(c) An association waives the right to collect any moneys owed in excess of the amounts specified in the estoppel certificate from any person who in good faith relies upon the estoppel certificate and from that person's successors and assigns.

(d) A summary proceeding pursuant to s. 51.011 may be brought to compel compliance with this subsection, and in any such action the prevailing party is entitled to recover reasonable attorney fees by a unit owner or mortgagee, the association shall provide a certificate stating all assessments and other moneys owed to the association by the unit owner with respect to the cooperative parcel. Any person other than the unit owner who relies upon such certificate shall be protected thereby.

(e)1. Notwithstanding any limitation on transfer fees contained in s. 719.106(1)(i), ~~an~~ the association or its authorized agent may charge a reasonable fee, which may not exceed its reasonable costs to prepare and deliver for the preparation of the estoppel certificate. However, the fee for the estoppel certificate may not exceed \$200 if on the date the certificate is issued, no delinquent amounts are owed to the association for the applicable unit. If an estoppel certificate is requested on an expedited basis and delivered within 3 business days after the request, the association may charge an additional fee of \$100. If delinquent amounts are owed to the association for the applicable unit, an additional fee for the estoppel certificate may not exceed \$200. The association may not charge a fee for an estoppel certificate that is issued more than 10 business days after it receives a request for the certificate. The maximum allowable fees charged in accordance with this section shall be adjusted every 3 years in an amount equal to the annual increases for that 3-year period in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items.

2. If the estoppel certificate is requested in conjunction with the sale or refinancing of a unit, the fee for the certificate shall be paid to the association from the closing or settlement proceeds. If the closing does not occur, the fee for the certificate is the obligation of the unit owner, and the association may collect the fee in the same manner as an assessment against the unit. An association may not require the payment of any other fees as a condition for the preparation or delivery of an estoppel certificate.

(f) The authority to charge a fee for the estoppel certificate must be established by a written resolution adopted by the board or provided by a written management, bookkeeping, or maintenance contract.

Section 3. Section 720.30851, Florida Statutes, is amended to read:

720.30851 Estoppel certificates.—An association shall issue an estoppel certificate to a parcel owner or the parcel owner's designee or a mortgagee or the mortgagee's designee within 10 business ~~15~~ days after receiving a written or electronic request for the certificate. The estoppel certificate must be delivered by mail, by hand delivery, or by electronic means to the requester on the date of issuance.

(1) The estoppel certificate must contain all of the following:

(a) The date of issuance.

(b) The amount of all assessments and other moneys owed to the association by the parcel owner for a specific parcel as recorded on the date of issuance. This amount is limited to amounts authorized by statute to be recorded in the official records of the association under s. 720.303(4).

(c) The amount of any additional assessments and other moneys that are scheduled to become due for each day after the date of issuance for the 30-day or 35-day effective period of the estoppel certificate. This amount is limited to amounts authorized by statute to be recorded in the official records of the association under s. 720.303(4). In calculating the amounts that are scheduled to become due, the association may assume that any delinquent amounts will remain delinquent during the effective period of the estoppel certificate.

(d) The amount of any fee charged by the association for preparing and delivering the estoppel certificate. This fee is in addition to any other amounts on the certificate.

(e) The signature of an officer or agent of the association.

(2) An estoppel certificate that is delivered on the date of issuance has a 30-day effective period. An estoppel certificate that is mailed to the requester has a 35-day effective period.

(3) An association waives the right to collect any moneys owed in excess of the amounts specified in the estoppel certificate from any person who in good faith relies upon the estoppel certificate and from that person's successors and assigns ~~the date on which a request for an estoppel certificate is received from a parcel owner or mortgagee, or his or her designee, the association shall provide a certificate signed by an officer or authorized agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel. An association may charge a fee for the preparation of such certificate, and the amount of such fee must be stated on the certificate.~~

~~(1) Any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof.~~

~~(4)(2)~~ A summary proceeding pursuant to s. 51.011 may be brought to compel compliance with this section, and the prevailing party is entitled to recover reasonable attorney ~~attorney's~~ fees.

(5)(a) An association or its agent may charge a fee, which may not exceed its reasonable costs to prepare and deliver the estoppel certificate. However, the fee for the estoppel certificate may not exceed \$200 if on the date the certificate is issued, no delinquent amounts are owed to the association for the applicable parcel. If an estoppel certificate is requested on an expedited basis and delivered within 3 business days after the request, the association may charge an additional fee of \$100. If delinquent amounts are owed to the association for the applicable parcel, an additional fee for the certificate may not exceed \$200. The association may not charge a fee for an

Pursuant to Rule 4.19, **CS for CS for CS for SB 736** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 816** was deferred.

On motion by Senator Bean—

CS for SB 904—A bill to be entitled An act relating to home health services; amending s. 400.462, F.S.; defining a term; amending s. 400.464, F.S.; allowing home health agencies to operate related offices inside of the main office's geographic service area without an additional license; amending s. 400.506, F.S.; providing for the licensure of more than one nurse registry operational site within the same geographic service area; authorizing a licensed nurse registry to operate a satellite office; requiring a nurse registry operational site to keep all original records; requiring a nurse registry to provide notice and certain evidence before it relocates an operational site or opens a satellite office; re-enacting ss. 400.497, 817.505(3)(h), 400.506(3), F.S., to incorporate the amendment made to s. 400.506, F.S., in references thereto; providing an effective date.

—was read the second time by title.

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

Senator Bean moved the following amendment which was adopted:

Amendment 1 (843364) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present subsections (28) and (29) of section 400.462, Florida Statutes, are redesignated as subsections (29) and (30), respectively, and a new subsection (28) is added to that section, to read:

400.462 Definitions.—As used in this part, the term:

(28) "Satellite office" means a secondary office of a nurse registry established pursuant to s. 400.506(1) in the same health service planning district as a licensed nurse registry operational site.

Section 2. Subsection (2) of section 400.464, Florida Statutes, is amended to read:

400.464 Home health agencies to be licensed; expiration of license; exemptions; unlawful acts; penalties.—

(2) If the licensed home health agency operates related offices, each related office outside the *health service planning district* ~~county~~ where the main office is located must be separately licensed. The counties where the related offices are operating *within the health service planning district* must be specified on the license in the main office.

Section 3. Subsection (1) of section 400.506, Florida Statutes, is amended to read:

400.506 Licensure of nurse registries; requirements; penalties.—

(1)(a) A nurse registry is exempt from the licensing requirements of a home health agency but must be licensed as a nurse registry. The requirements of part II of chapter 408 apply to the provision of services that require licensure pursuant to ss. 400.506-400.518 and part II of chapter 408 and to entities licensed by or applying for such license from the Agency for Health Care Administration pursuant to ss. 400.506-400.518. A license issued by the agency is required for the operation of a nurse registry. Each operational site of the nurse registry must be licensed, unless there is more than one site within *the health service planning district for which a license is issued. In such case, a county. If there is more than one site within a county, only one license per county is required.* each operational site *within the health service planning district* must be listed on the license.

(b) A licensed nurse registry may operate a satellite office as defined in s. 400.462. The nurse registry operational site must administer all satellite offices. A satellite office may store supplies and records, register and process contractors, and conduct business by telephone as is done at other operational sites. Nurse registries may use signs and advertisements to notify the public of the location of a satellite office. All original records must be kept at the operational site.

(c) A nurse registry must provide notice, in writing, to the agency at the state and area office levels, as required by agency rule, of a proposed change of address for an operational site or the opening of a satellite office. Before relocating an operational site or opening a satellite office, the nurse registry must submit evidence of its legal right to use the proposed property and evidence that the property is zoned for nurse registry use.

Section 4. Section 400.497, paragraph (h) of subsection (3) of s. 817.505, and subsection (3) of s. 400.506, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 400.506, Florida Statutes, in references thereto.

Section 5. This act shall take effect July 1, 2015.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to home health services; amending s. 400.462, F.S.; defining a term; amending s. 400.464, F.S.; allowing home health agencies to operate related offices inside of the main office's health service planning district without an additional license; amending s. 400.506, F.S.; providing for the licensure of more than one nurse registry operational site within the same health service planning district; authorizing a licensed nurse registry to operate a satellite office; requiring a nurse registry operational site to keep all original records; requiring a nurse registry to provide notice and certain evidence before it relocates an operational site or opens a satellite office; reenacting ss. 400.497, 817.505(3)(h), 400.506(3), F.S., to incorporate the amendment made to s. 400.506, F.S., in references thereto; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 904** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

Senator Richter recognized Chief Financial Officer Jeff Atwater, former Senate President, who was present in the chamber.

On motion by Senator Simmons—

CS for SB 1298—A bill to be entitled An act relating to insurance for short-term rental and transportation network companies; creating s. 627.716, F.S.; defining terms; establishing insurance requirements for short-term rental network companies during certain timeframes; requiring a short-term rental network company to make certain written disclosures to participating lessors; requiring an insurer to defend and indemnify an insured in this state; prohibiting the personal insurance policy of a participating lessor of a short-term rental property from providing specified coverage during certain timeframes except under specified circumstances; requiring a short-term rental network company and its insurer to cooperate with certain claims investigations; providing that the section does not limit the liability of a short-term rental network company under specified circumstances; creating s. 627.748, F.S.; defining terms; requiring a transportation network company driver or such company on the driver's behalf, or a combination thereof, to maintain primary automobile liability insurance issued by specified insurers with certain coverages in specified amounts during certain timeframes; requiring the transportation network company to provide automobile insurance in the event insurance maintained by the transportation network company driver lapses or does not provide the required coverage; requiring a transportation network company driver to carry proof of insurance coverage at certain times and to disclose specified information in the event of an accident; requiring a transportation network company to make certain disclosures to transportation network company drivers; authorizing insurers to exclude certain coverages during specified periods for policies issued to transportation network company drivers for personal vehicles; requiring a transportation network company and certain insurers to cooperate during a claims investigation to facilitate the exchange of specified information; requiring a transportation network company to determine whether an individual's personal vehicle is subject to a lien before allowing the individual to act as a driver and, if the vehicle is subject to a lien, to verify that the insurance required by this section provides coverage to the lienholder during specified periods; authorizing the Office of Insurance Regulation to adopt rules to implement the section; providing an effective date.

—was read the second time by title.

Senator Simmons moved the following amendment:

Amendment 1 (800248) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 316.646, Florida Statutes, is amended to read:

316.646 Security required; proof of security and display thereof.—

(1) Any person required by s. 324.022 to maintain property damage liability security, required by s. 324.023 to maintain liability security for bodily injury or death, ~~or~~ required by s. 627.733 to maintain personal injury protection security on a motor vehicle, *or required by s. 627.748(2)(d) to maintain insurance* shall have in his or her immediate possession at all times while operating such motor vehicle proper proof of maintenance of the required security.

(a) Such proof shall be in a uniform paper or electronic format, as prescribed by the department, a valid insurance policy, an insurance policy binder, a certificate of insurance, or such other proof as may be prescribed by the department.

(b)1. The act of presenting to a law enforcement officer an electronic device displaying proof of insurance in an electronic format does not constitute consent for the officer to access any information on the device other than the displayed proof of insurance.

2. The person who presents the device to the officer assumes the liability for any resulting damage to the device.

Section 2. Section 627.716, Florida Statutes, is created to read:

627.716 Short-term rental network company insurance.—

(1) For purposes of this section, the term:

(a) “Application” means an Internet-enabled application or platform or any similar method that is used to provide rental services to a participating renter and that is owned or used by a short-term rental network company.

(b) “Participating lessor” means a person who makes a short-term rental property available through an application to participating renters.

(c) “Participating renter” means a person who enters into a short-term rental arrangement through an application.

(d) “Short-term rental network company” or “company” means an individual or organization, including, but not limited to, a corporation, limited liability company, partnership, sole proprietorship, or other entity for which participating lessors provide prearranged, short-term rentals for compensation using an application to connect a participating renter with a participating lessor. The term does not include a licensee under chapter 509, an association as defined in s. 719.103, a developer or managing entity as defined in s. 721.05, or other entity that owns, manages, or otherwise controls the short-term rental property of the participating lessor.

(e) “Short-term rental network company insurance” means an insurance policy that provides coverage as required by this section at all times during the short-term rental period.

(f) “Short-term rental period” means the period beginning at the time the participating renter first uses or occupies the short-term rental property and ending at the time the participating renter vacates the short-term rental property.

(g) “Short-term rental property” means the entirety or any portion of a property which is used for residential occupancy purposes. The term includes, but is not limited to, a condominium, an apartment, a multifamily dwelling, a single-family structure, or any other rental unit located in this state which is owned or rented by a participating lessor. The term does not include timeshare property as defined in s. 721.05.

(2)(a) During the short-term rental period, a short-term rental network company shall maintain short-term rental network company insurance as excess coverage, except that such coverage shall be primary to the extent that the participating lessor’s insurance does not provide coverage. The short-term rental network insurance must:

1. Insure the participating lessor against direct physical loss to the short-term rental property and its contents, exclusive of the property of the participating renter, with limits of at least \$1 million per occurrence with a policy period aggregate limit of \$2 million for each short-term rental property.

2. Provide liability coverage for personal injury and property damage with limits of at least \$1 million which covers the acts and omissions of the short-term rental network company, a participating lessor, and all other persons using or occupying the short-term rental property, except for a participating renter, against claims arising out of the use or occupancy of the short-term rental property by a participating renter and which does not contain an exclusion for co-insureds.

(b) Short-term rental network company insurance may not require as a prerequisite of coverage that another insurance policy first deny a claim.

(3) A short-term rental network company shall disclose in writing to a participating lessor the insurance coverages and limits of liability that the short-term rental network company provides during the short-term rental period. The company shall advise the participating lessor in writing that the participating lessor’s personal insurance policy may not provide the insurance coverage required by subsection (2).

(4) An insurer that provides short-term rental network company insurance shall defend and indemnify in this state the insured in accordance with the policy’s provisions.

(5)(a) During the short-term rental period, the participating lessor’s personal insurance policy for the short-term rental property may not:

1. Be required to provide primary or excess coverage.

2. Provide any coverage to the participating lessor, the participating renter, or a third party unless the policy, with or without a separate charge, provides for such coverage or contains an amendment or endorsement to provide such coverage.

3. Have any duty to indemnify or defend for liabilities arising during the short-term rental period unless the policy, with or without a separate charge, provides for such duties or contains an amendment or endorsement to provide for such duties.

(b) Before or after the short-term rental period, the participating lessor’s personal policy for the short-term rental property may not provide coverage for claims arising from any rental arrangement entered into by a participating renter with the short-term rental company or the participating lessor for the short-term rental property or for acts and omissions related to the rental arrangement unless the policy, with or without a separate charge, provides for such coverage or contains an amendment or endorsement to provide such coverage.

(6) In a claims investigation, a short-term rental network company or its insurer shall cooperate with other insurers to facilitate the exchange of information, which must include the number and duration of all short-term rental periods made with respect to the short-term rental property for the 12 months preceding the date of loss.

(7) This section does not limit the liability of a short-term rental network company arising out of the use or occupancy of short-term rental property by a participating renter for an amount that exceeds the limits specified in subsection (2).

Section 3. Section 627.748, Florida Statutes, is created to read:

627.748 Transportation network company insurance.—

(1) For purposes of this section, the term:

(a) “Digital network” means an online-enabled application, software, website, or system offered or used by a transportation network company which enables the prearrangement of rides with transportation network company drivers.

(b) “Personal vehicle” means a vehicle, however titled, which is used by a transportation network company driver in connection with providing transportation network company service and that:

1. Is owned, leased, or otherwise authorized for use by the transportation network company driver; and

2. Is not a taxi, jitney, limousine, or for-hire vehicle as defined in s. 320.01(15).

(c) “Prearranged ride” means the provision of transportation by a driver to or on behalf of a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports the rider, and ending when the last rider departs from the personal vehicle. A prearranged ride does not include transportation provided using a taxi, jitney, limousine, for-hire vehicle as defined in s. 320.01(15), or street hail services.

(d) “Transportation network company” or “company” means a corporation, partnership, sole proprietorship, or other entity operating in this state which uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company may not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, unless agreed to in a written contract. A transportation network company does not include an individual, corporation, partnership, sole proprietorship, or other entity arranging nonemergency medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the state or a managed care organization.

(e) “Transportation network company driver” or “driver” means an individual who:

1. Receives connections to potential riders and related services from a transportation network company in exchange for any form of compensation, including payment of a fee to the transportation network company; and

2. Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation, including payment of a fee.

(f) "Transportation network company rider" or "rider" means an individual who directly or indirectly uses a transportation network company's digital network to connect with a transportation network company driver who provides transportation services to such individual in the driver's personal vehicle.

(2)(a) A transportation network company driver, or a transportation network company on the driver's behalf, shall maintain primary automobile insurance that recognizes that the driver is a transportation network company driver or that the driver otherwise uses a personal vehicle to transport riders for compensation. Such primary automobile insurance must cover the driver as required under this section, including while the driver is logged on to the transportation network company's digital network and engaged in a prearranged ride.

(b) The following automobile insurance requirements apply while a participating transportation network company driver is logged on to the transportation network company's digital network and is available to receive transportation requests, but is not engaged in a prearranged ride:

1. Primary automobile liability insurance of at least \$125,000 for death and bodily injury per person, \$250,000 for death and bodily injury per incident, and \$25,000 for property damage; and

2. Primary automobile insurance that provides the minimum coverage requirements under ss. 627.730-627.7405.

(c) While a transportation network company driver is engaged in a prearranged ride, the automobile insurance requirements that apply are primary automobile liability insurance of at least \$1 million for death and bodily injury and \$50,000 for property damage.

(d) The following automobile insurance requirements apply at all times other than the periods specified in paragraph (b) or paragraph (c) if a driver has an agreement with a transportation network company to provide any form of transportation services to riders:

1. Primary automobile liability insurance of at least \$100,000 for death and bodily injury per person, \$200,000 for death and bodily injury per incident, and \$25,000 for property damage; and

2. Primary automobile insurance that provides the minimum coverage requirements under ss. 627.730-627.7405.

(e) The coverage requirements of paragraph (d) shall be satisfied by automobile insurance maintained by the transportation network company driver. The coverage requirements of paragraphs (b) and (c) may be satisfied by any of the following:

1. Automobile insurance maintained by the transportation network company driver;

2. Automobile insurance maintained by the transportation network company; or

3. Any combination of subparagraphs 1. and 2.

(f) If automobile insurance maintained by a driver under paragraph (b), paragraph (c), or paragraph (d) has lapsed or does not provide the required coverage, automobile insurance maintained by a transportation network company must provide the coverage required by this section beginning with the first dollar of a claim and must require that the insurer have the duty to defend such claim in this state.

(g) Coverage under an automobile insurance policy maintained by the transportation network company may not be dependent on a personal automobile liability insurance policy first denying a claim.

(h) Automobile insurance required by this section may be provided by an insurer authorized to do business in this state or an eligible surplus lines insurer.

(i) Automobile insurance satisfying the requirements of this section shall be deemed to satisfy the financial responsibility requirements for a motor vehicle under chapter 324 and the security required under s. 627.733.

(j) A transportation network company driver shall carry proof of insurance coverage satisfying paragraphs (b), (c), and (d) at all times during his or her use of a personal vehicle. In the event of an accident:

1. The driver shall provide the insurance coverage information to the directly involved parties, automobile insurers, and investigating police officers. Proof of financial responsibility may be provided through a digital telephone application under s. 316.646 controlled by a transportation network company.

2. The driver, upon request, shall disclose to the directly involved parties, automobile insurers, and investigating police officers whether the driver, at the time of the accident, was logged on to the transportation network company's digital network or engaged in prearranged ride.

(k) Before a driver may accept a request for a prearranged ride on the transportation network company's digital network, the transportation network company shall disclose in writing to each transportation network company driver each type of:

1. Insurance coverage and the limit for each coverage the transportation network company provides; and

2. Automobile insurance coverage that the driver must maintain while the driver uses a personal vehicle in connection with the transportation network company.

(l) An insurer that provides personal automobile insurance policies under part XI of chapter 627 may exclude from coverage under a policy issued to an owner or operator of a personal vehicle any loss or injury that occurs while a driver is logged on to a transportation network company's digital network or while a driver is engaged in a prearranged ride. Such right to exclude coverage applies to any coverage under an automobile insurance policy, including, but not limited to:

1. Liability coverage for bodily injury and property damage.

2. Personal injury protection coverage under s. 627.736.

3. Uninsured and underinsured motorist coverage.

4. Medical payments coverage.

5. Comprehensive physical damage coverage.

6. Collision physical damage coverage.

(m) The exclusions authorized under paragraph (l) apply notwithstanding any financial responsibility requirements under chapter 324. This section does not require that a personal automobile insurance policy provide coverage while the driver is logged on to the transportation network company's digital network, while the driver is engaged in a prearranged ride, or while the driver otherwise uses a personal vehicle to transport riders for compensation. However, an insurer may voluntarily elect to provide coverage for such driver's personal vehicle by contract or endorsement.

(n) An insurer that excludes coverage, as authorized under paragraph (l):

1. Does not have a duty to defend or indemnify any claim excluded. This section does not invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in this state before July 1, 2015.

2. Has a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of this section at the time of loss if the insurer defends or indemnifies a claim against a driver which is excluded under the terms of its policy.

(o) In a claims investigation, a transportation network company and any insurer potentially providing coverage for such claim under this section shall cooperate to facilitate the exchange of relevant information with directly involved parties and insurers of the transportation network company driver, if applicable. Such information must provide:

1. The precise times that a driver logged on and off the transportation network company's digital network during the 12-hour period immediately preceding and immediately after the accident.

2. A clear description of the coverage, any exclusions, and limits provided under any automobile insurance maintained under this section.

(p) Before allowing an individual to act as a driver on its digital network, a transportation network company shall determine whether the driver's personal vehicle is subject to a lien. If the personal vehicle is subject to a lien, the transportation network company shall verify that the insurance required by this section provides coverage to the lienholder while the driver is logged into the transportation network company's digital network and while the driver is providing a prearranged ride.

(3) The office may adopt rules to implement this section.

Section 4. This act shall take effect October 1, 2015.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to minimum insurance requirements; amending s. 316.646, F.S.; requiring a transportation network company driver to have proof of certain insurance in his or her possession during a specified timeframe; creating s. 627.716, F.S.; defining terms; establishing insurance requirements for short-term rental network companies during certain timeframes; requiring a short-term rental network company to make certain written disclosures to participating lessors; requiring an insurer to defend and indemnify an insured in this state; prohibiting the personal insurance policy of a participating lessor of a short-term rental property from providing specified coverage during certain timeframes except under specified circumstances; requiring a short-term rental network company and its insurer to cooperate with certain claims investigations; providing that the section does not limit the liability of a short-term rental network company under specified circumstances; creating s. 627.748, F.S.; defining terms; requiring a transportation network company driver or such company on the driver's behalf, or a combination thereof, to maintain primary automobile insurance issued by specified insurers with certain coverages in specified amounts during certain timeframes; requiring a transportation network company driver to maintain primary automobile insurance issued by specified insurers with certain coverages in specified amounts during certain timeframes; requiring the transportation network company to provide automobile insurance in the event insurance maintained by the transportation network company driver lapses or does not provide the required coverage; requiring a transportation network company driver to carry proof of certain insurance coverage at all times during his or her use of a personal vehicle and to disclose specified information in the event of an accident; requiring a transportation network company to make certain disclosures to transportation network company drivers; authorizing insurers to exclude certain coverages during specified periods for policies issued to transportation network company drivers for personal vehicles; requiring a transportation network company and certain insurers to cooperate during a claims investigation to facilitate the exchange of specified information; requiring a transportation network company to determine whether an individual's personal vehicle is subject to a lien before allowing the individual to act as a driver and, if the vehicle is subject to a lien, to verify that the insurance required by this section provides coverage to the lienholder during specified periods; authorizing the Office of Insurance Regulation to adopt rules to implement the section; providing an effective date.

THE PRESIDENT PRESIDING

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

Senator Simmons moved the following amendments to **Amendment 1 (800248)** which were adopted:

Amendment 1A (805270)—Delete lines 48-88 and insert: chapter 509, an association as defined in s. 718.103 or s. 719.103, a homeowners' association as defined in s. 720.301, a developer or managing entity as defined in s. 721.05, or other entity that owns, manages, or otherwise controls the short-term rental property of the participating lessor.

(e) "Short-term rental network company insurance" means an insurance policy that provides coverage as required by this section at all times during the short-term rental period.

(f) "Short-term rental period" means the period beginning at the time the participating renter first uses or occupies the short-term rental property and ending at the time the participating renter vacates the short-term rental property.

(g) "Short-term rental property" means the entirety or any portion of a property which is used for residential occupancy purposes. The term includes, but is not limited to, a condominium, an apartment, a multifamily dwelling, a single-family structure, or any other rental unit located in this state which is owned or rented by a participating lessor. The term does not include timeshare property as defined in s. 721.05.

(2) During the short-term rental period, a short-term rental network company shall maintain short-term rental network company insurance as excess coverage, except that such coverage shall be primary to the extent that the participating lessor's insurance does not provide coverage. The short-term rental network company insurance must:

(a) Insure the participating lessor against direct physical loss to the short-term rental property and its contents, exclusive of the property of the participating renter, with limits of at least \$1 million per occurrence with a policy period aggregate limit of \$2 million for each short-term rental property.

(b) Provide liability coverage for personal injury and property damage with limits of at least \$1 million which covers the acts and omissions of the short-term rental network company, a participating lessor, and all other persons using or occupying the short-term rental property, except for a participating renter, against claims arising out of the use or occupancy of the short-term rental property by a participating renter and which does not contain an exclusion for co-insureds.

Amendment 1B (184998)—Delete line 332 and insert:

Section 4. This act shall take effect January 1, 2016.

Amendment 1C (438918)—Delete lines 242-244 and insert:

(h) Automobile insurance required by this section must be provided by an insurer authorized to do business in this state which is a member of the Florida Insurance Guaranty Association.

Amendment 1 (800248) as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 1298** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

RECESS

On motion by Senator Simmons, the Senate recessed at 12:10 p.m. to reconvene at 1:15 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:15 p.m. A quorum present—32:

Mr. President	Bullard	Gibson
Abruzzo	Clemens	Hays
Altman	Dean	Hukill
Bean	Detert	Joyner
Benacquisto	Diaz de la Portilla	Legg
Bradley	Evers	Margolis
Brandes	Gaetz	Richter
Braynon	Galvano	Ring

Sachs	Smith	Stargel
Simmons	Sobel	Thompson
Simpson	Soto	

BILLS ON THIRD READING

HB 7001—A bill to be entitled An act relating to intercepting and recording oral communications; amending s. 934.03, F.S.; providing that it is lawful to intercept and record certain oral communications; providing an effective date.

—as amended April 14 was read the third time by title.

On motion by Senator Benacquisto, **HB 7001** as amended was passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Garcia, Hutson, Montford, Negrón

CS for SB 172—A bill to be entitled An act relating to local government pension reform; amending s. 175.021, F.S.; requiring that firefighter pension plans meet the requirements of chapter 175, F.S., in order to receive certain insurance premium tax revenues; amending s. 175.032, F.S.; revising definitions to conform to changes made by the act and providing new definitions; amending s. 175.061, F.S.; requiring the board of trustees of the firefighters’ pension trust fund to provide a detailed accounting report of its expenses and to make the report available; requiring the board to operate under an administrative expense budget; providing applicability; amending s. 175.071, F.S.; conforming a cross-reference; amending s. 175.091, F.S.; revising the method of creating and maintaining a firefighters’ pension trust fund; amending s. 175.162, F.S.; deleting a provision basing the availability of additional benefits in a firefighter pension plan upon state funding; revising the calculation of monthly retirement income for a full-time firefighter; specifying the minimum benefits that must be maintained by certain firefighter pension plans after a specified date; amending s. 175.351, F.S.; exempting certain firefighter pension plans of a municipality or special fire control district from meeting certain minimum benefits in order to participate in the distribution of a premium tax; redesignating the term “pension plan” as “retirement plan”; revising criteria governing the use of revenues of the premium tax; authorizing a pension plan to reduce certain excess benefits if the plan continues to meet certain minimum benefits and standards; providing that the use of premium tax revenues may deviate from the requirements of chapter 175, F.S., under certain circumstances; revising the conditions for proposing the adoption of a pension plan or an amendment to a pension plan; requiring plan sponsors to have a defined contribution plan component in place by a certain date; authorizing a municipality or special fire control district to implement certain changes to a local law plan which are contrary to chapter 175, F.S., for a limited time, under certain circumstances; amending s. 185.01, F.S.; requiring that police officer pension plans meet the requirements of chapter 185, F.S., in order to receive certain insurance premium tax revenues; amending s. 185.02, F.S.; revising definitions to conform to changes made by the act and providing new definitions; revising applicability of the limitation on the amount of overtime payments which may be used for pension benefit calculations; amending s. 185.05, F.S.; requiring the board of trustees of the municipal police officers’ retirement trust fund to provide a detailed accounting report of its expenses and to make the

report available; requiring the board to operate under an administrative expense budget; providing applicability; amending s. 185.06, F.S.; conforming a cross-reference; amending s. 185.07, F.S.; revising the method of creating and maintaining a police officers’ retirement trust fund; amending s. 185.16, F.S.; deleting a provision basing the availability of additional benefits in a police officer pension plan upon state funding; revising the calculation of monthly retirement income for a police officer; specifying the minimum benefits that must be maintained by certain police officer pension plans after a specified date; amending s. 185.35, F.S.; exempting certain municipal police officer pension plans from meeting certain minimum benefits in order to participate in the distribution of a premium tax; redesignating the term “pension plan” as “retirement plan”; revising criteria governing the use of revenues from the premium tax; authorizing a plan to reduce certain excess benefits if the plan continues to meet certain minimum benefits and minimum standards; providing that the use of premium tax revenues may deviate from the requirements of chapter 185, F.S., under specified circumstances; revising the conditions for proposing the adoption of a pension plan or amendment to a pension plan; conforming a cross-reference; requiring plan sponsors to have a defined contribution plan component in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to chapter 185, F.S., for a limited time; providing a declaration of important state interest; providing an effective date.

—as amended April 14 was read the third time by title.

On motion by Senator Bradley, **CS for SB 172** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Galvano, Garcia

Vote preference:

April 23, 2015: Yea—Simmons

By direction of the President, by unanimous consent—

CS for CS for CS for SB 248—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; defining the terms “body camera,” “law enforcement officer,” and “personal representative”; providing that a body camera recording is confidential and exempt from public records requirements under certain circumstances; providing exceptions; requiring a law enforcement agency to retain body camera recordings for at least a specified period; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—as amended April 14 was taken up out of order and read the third time by title.

On motion by Senator Smith, **CS for CS for CS for SB 248** as amended was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Bullard Hukill

Vote after roll call:

Yea—Garcia

CS for CS for SB 778—A bill to be entitled An act relating to local government construction preferences; creating s. 255.0991, F.S.; defining the term “state-appropriated funds”; prohibiting local ordinances and regulations from restricting competition for the award of a contract for construction services based upon certain conditions; requiring a state college, county, municipality, school district, or other political subdivision of the state to make specified disclosures in competitive solicitation documents; providing applicability; providing an effective date.

—as amended April 14 was read the third time by title.

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

Amendment 1 (260200) (with title amendment)—Delete lines 20-21 and insert:

(1) *For purposes of this section, the term:*(a) *“Competitive solicitation” has the same meaning as in s. 255.248.*(b) *“State-appropriated funds” means all funds appropriated in the General*

And the title is amended as follows:

Delete lines 3-4 and insert: preferences; creating s. 255.0991, F.S.; defining terms; prohibiting local

On motion by Senator Hays, **CS for CS for SB 778** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Sobel
Dean	Hukill	Stargel
Detert	Hutson	Thompson
Diaz de la Portilla	Latvala	
Evers	Legg	

Nays—9

Abruzzo	Joyner	Sachs
Bullard	Margolis	Smith
Clemens	Ring	Soto

Vote after roll call:

Yea—Garcia

Nay—Braynon

Yea to Nay—Montford, Sobel, Thompson

Consideration of **CS for CS for CS for SB 554** was deferred.

CS for SB 378—A bill to be entitled An act relating to juvenile justice; amending s. 985.12, F.S.; authorizing a law enforcement officer to issue a warning to a juvenile who admits having committed a misdemeanor or to inform the child’s parent or guardian of the child’s infraction; allowing a law enforcement officer who does not exercise one of these options to issue a civil citation or require participation in a similar diversion program; requiring a law enforcement officer to provide written documentation in certain circumstances; providing that repeat misdemeanor offenders may participate in the civil citation program or a similar diversion program under certain circumstances; reenacting ss. 943.051(3)(b) and 985.11(1)(b), F.S., relating to the issuance of a civil citation, and the issuance of a civil citation or similar diversion program, respectively, to incorporate the amendments made to s. 985.12, F.S., in references thereto; providing an effective date.

—as amended April 14 was read the third time by title.

On motion by Senator Gibson, **CS for SB 378** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Legg

Vote after roll call:

Yea—Simpson

SB 520—A bill to be entitled An act relating to long-term care insurance; amending s. 627.94072, F.S.; providing additional forms for the mandatory offer of nonforfeiture benefits in long-term care insurance policies; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **SB 520** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Hutson	Negron	Sobel
Joyner	Richter	Soto
Latvala	Ring	Stargel
Legg	Sachs	Thompson
Margolis	Simpson	
Montford	Smith	

Nays—None

Vote after roll call:

Yea—Garcia

Vote preference:

April 23, 2015: Yea—Simmons

Consideration of **CS for CS for SB 1446** was deferred.

CS for CS for SB 7040—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing an exemption from public records requirements for e-mail addresses collected by the Department of Highway Safety and Motor Vehicles; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for SB 7040** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Joyner

CS for SB 604—A bill to be entitled An act relating to consumer protection; creating s. 501.155, F.S.; providing a short title; providing applicability; providing definitions; requiring owners and operators of specified websites and online services to disclose certain information; providing for injunctive relief; providing an effective date.

—as amended April 14 was read the third time by title.

On motion by Senator Flores, **CS for SB 604** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Bullard	Gaetz
Abruzzo	Clemens	Galvano
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hutson
Braynon	Flores	Joyner

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

Nays—3

Brandes	Hukill	Ring
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Vote after roll call:

Yea—Garcia

Consideration of **CS for SB 960** and **CS for SB 1146** was deferred.

SB 728—A bill to be entitled An act relating to health insurance coverage for opioids; creating s. 627.64194, F.S.; defining terms; providing that a health insurance policy that covers opioid analgesic drug products may impose a prior authorization requirement for an abuse-deterrent opioid analgesic drug product only if the insurer imposes the same requirement for each opioid analgesic drug product without an abuse-deterrence labeling claim; prohibiting such health insurance policy from requiring use of an opioid analgesic drug product without an abuse-deterrence labeling claim before providing coverage for an abuse-deterrent opioid analgesic drug product; providing an effective date.

—as amended April 14 was read the third time by title.

On motion by Senator Benacquisto, **SB 728** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for CS for SB 606—A bill to be entitled An act relating to dental care; creating s. 381.4019, F.S.; establishing a joint local and state dental care access account initiative, subject to the availability of funding; authorizing the creation of dental care access accounts; specifying the purpose of the initiative; defining terms; providing criteria for the selection of dentists for participation in the initiative; providing for the establishment of accounts; requiring the Department of Health to implement an electronic benefit transfer system; providing for the use of funds deposited in the accounts; authorizing the department to distribute state funds to accounts subject to legislative appropriations; authorizing the department to accept contributions from local sources for deposit in designated accounts; limiting the number of years that an account may remain open; providing for the immediate closure of accounts under certain circumstances; authorizing the department to transfer state funds remaining in a closed account at a specified time and to return unspent funds from local sources; requiring a dentist to repay funds in certain circumstances; authorizing the department to pursue disciplinary enforcement actions and to use other legal means to recover funds; requiring the department to establish by rule application procedures and a process to verify the use of funds withdrawn from a dental care access account; requiring the department to give priority to applications from dentists practicing in certain areas; requiring the Department of Economic Opportunity to rank shortage areas and

medically underserved areas; requiring the Department of Health to develop a marketing plan in cooperation with certain dental colleges and the Florida Dental Association; requiring the Department of Health to annually submit a report with certain information to the Governor and the Legislature; providing rulemaking authority to require the submission of information for such reporting; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for CS for SB 606** was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 760—A bill to be entitled An act relating to child protection; amending s. 39.2015, F.S.; providing requirements for the representation of Children’s Medical Services on multiagency teams investigating certain child deaths or other critical incidents; amending s. 39.303, F.S.; requiring the Statewide Medical Director for Child Protection and the medical directors to hold certain qualifications; requiring the Department of Health to approve a third-party credentialing entity to develop and administer a credentialing program for medical directors; specifying minimum standards that the third-party credentialing entity must meet; deleting a provision requiring all medical personnel on a child protection team to complete specified training curriculum; requiring each child protection team medical director employed on a certain date to meet specified requirements; amending s. 458.3175, F.S.; providing that a physician who holds an expert witness certificate may provide expert testimony in criminal child abuse and neglect cases; amending s. 459.0066, F.S.; providing that an osteopathic physician who holds an expert witness certificate may provide expert testimony in criminal child abuse and neglect cases; amending ss. 39.301 and 827.03, F.S.; conforming cross-references; conforming provisions to changes made by the act; reenacting ss. 39.3031 and 391.026(2), F.S., relating to child protection teams, to incorporate the amendments made to s. 39.303, F.S., in references thereto; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 760**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1055** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Policy; and Fiscal Policy.

On motion by Senator Bradley, by two-thirds vote—

CS for CS for HB 1055—A bill to be entitled An act relating to child protection; amending s. 39.2015, F.S.; providing requirements for the representation of Children’s Medical Services on multiagency teams investigating certain child deaths or other serious incidents; amending s. 39.303, F.S.; requiring the Statewide Medical Director for Child Protection and the district medical directors to hold certain qualifications; requiring the Department of Health to approve a third-party credentialing entity to administer a credentialing program for district medical directors, contingent on appropriations; amending s. 458.3175, F.S.; providing that a physician who holds an expert witness certificate may provide expert testimony in criminal child abuse and neglect cases; amending s. 459.0066, F.S.; providing that an osteopathic physician who

holds an expert witness certificate may provide expert testimony in criminal child abuse and neglect cases; amending ss. 39.301 and 827.03, F.S.; conforming provisions to changes made by the act; reenacting ss. 39.3031 and 391.026(2), F.S., relating to child protection teams, to incorporate the amendments made by the act to s. 39.303, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 760** and read the second time by title.

On motion by Senator Bradley, by two-thirds vote **CS for CS for HB 1055** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 7028—A bill to be entitled An act relating to educational opportunities for veterans; amending s. 1009.26, F.S.; revising criteria for eligibility for out-of-state fee waivers at state universities, Florida College System institutions, and specified career centers; removing a provision regarding the applicability of waivers to required credit hours for a student’s degree or certificate program; requiring the Board of Governors and the State Board of Education to adopt regulations and rules, respectively; revising a short title provision; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **SB 7028** was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 806—A bill to be entitled An act relating to the regulation of financial institutions; amending s. 655.005, F.S.; redefining the terms “main office” and “principal office”; amending s. 655.047, F.S.; requiring that mailed semiannual assessments be received by the Office of Financial Regulation by a specified date; requiring that electronically transmitted semiannual assessments be transmitted to the office by specified dates; amending s. 655.60, F.S.; deleting the requirement that the office select a licensed or certified appraiser to conduct certain ap-

praisals; deleting the requirement that the office approve the cost of certain appraisals before payment of that cost by a state financial institution, subsidiary, or service corporation; amending s. 658.19, F.S.; revising the individuals for whom certain information must be provided to the office on an application for authority to organize a banking corporation or trust company; amending s. 660.33, F.S.; conforming a cross-reference; amending s. 663.08, F.S.; requiring an international banking corporation to provide its annual certification of capital accounts to the office by a specified date; creating s. 663.021, F.S.; providing that specified entities of an international banking corporation are not required, in response to a subpoena, to produce certain books or records that are maintained outside the United States or its territories and are not in the entities' possession, custody, or control; specifying the applicability of the section to certain types of subpoenas; providing that the section does not limit certain regulatory and supervisory powers of the office; reenacting ss. 655.960(8) and 663.302(1)(a), F.S., to incorporate the amendment made to s. 655.005, F.S., in references thereto; reenacting ss. 658.165(1), 665.013(3), and 667.003(3), F.S., to incorporate the amendment made to s. 658.19, F.S., in references thereto; reenacting s. 658.12(4), F.S., to incorporate the amendment made to s. 660.33, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 806** was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

Consideration of **CS for CS for SB 1024** was deferred.

CS for SB 7018—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and defining terms; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the State Long-Term Care Ombudsman Program; amending s. 400.0063, F.S.; deleting references to ombudsman councils and the Office of the State Long-Term Care Ombudsman and replacing them with the State Long-Term Care Ombudsman Program; amending s. 400.0065, F.S.; revising the duties and authority of the state ombudsman; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts; requiring each district to conduct quarterly public meetings; providing duties of representatives of the program in the districts; revising the appointments of and qualifications for district ombudsmen; prohibiting certain individuals from serving as ombudsmen; amending s. 400.0070, F.S.; providing conditions under which a representative of the program could be found to have a conflict of interest; requiring the Department of Elderly Affairs, in consultation with the state ombudsman, to define by rule what constitutes a conflict of interest; amending s. 400.0071, F.S.; requiring the Department of Elderly Affairs to consult with the state ombudsman to adopt rules pertaining to complaint procedures; amending s. 400.0073, F.S.; providing procedures for investigation of com-

plaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.162, 400.19, 400.191, and 400.23, F.S.; conforming provisions to changes made by the act; amending s. 400.235, F.S.; conforming provisions to changes made by the act; revising the additional criteria for recognition as a Gold Seal Program facility; amending ss. 415.102, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.19, 429.26, 429.28, 429.34, 429.35, 429.67, and 429.85, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended April 14 was read the third time by title.

On motion by Senator Sobel, **CS for SB 7018** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

Consideration of **CS for CS for SB 998** was deferred.

CS for CS for SB 1216—A bill to be entitled An act relating to community development; amending s. 163.08, F.S.; declaring that there is a compelling state interest in enabling property owners to voluntarily finance certain improvements to property damaged by sinkhole activity with local government assistance; expanding the definition of the term “qualifying improvement” to include stabilization or other repairs to property damaged by sinkhole activity; providing that stabilization or other repairs to property damaged by sinkhole activity are qualifying improvements considered affixed to a building or facility; revising the form of a specified written disclosure statement to include an assessment for a qualifying improvement relating to stabilization or repair of property damaged by sinkhole activity; amending s. 163.3175, F.S.; deleting obsolete provisions; amending s. 163.3184, F.S.; requiring plan amendments proposing a development that qualifies as a development of regional impact to be subject to the state coordinated review process; amending s. 163.3245, F.S.; providing that other requirements of this chapter inconsistent with or superseded by certain planning standards relating to a long-term master plan do not apply; providing that other requirements of this chapter inconsistent with or superseded by certain planning standards relating to detailed specific area plans do not apply; providing that conservation easements may be based on digital orthophotography prepared by licensed surveyor and mapper and may include a right of adjustment subject to certain requirements; providing that substitution is accomplished by recording an amendment to a con-

servation easement as accepted by and with the consent of the grantee; requiring the applicant for a detailed specific area plan to transmit copies of the application to specified reviewing agencies for review and comment; requiring such agency comments to be submitted to the local government having jurisdiction and to the state land planning agency, subject to certain requirements; authorizing the Department of Environmental Protection, the Fish and Wildlife Conservation Commission, or the water management district to accept compensatory mitigation under certain circumstances, pursuant to a specified section or chapter; providing that the adoption of a long-term master plan or a detailed specific area plan pursuant to this section does not limit the right to establish new agricultural or silvicultural uses under certain circumstances; allowing an applicant with an approved master development order to request that the applicable water management district issue a specified consumptive use permit for the same period of time as the approved master development order; providing applicability; providing that a local government is not precluded from requiring data and analysis beyond the minimum criteria established in this section; amending s. 163.3246, F.S.; removing restrictions on certain exemptions; providing legislative intent; designating Pasco County as a pilot community; requiring the state land planning agency to provide a written certification to Pasco County within a certain timeframe; providing requirements for certain plan amendments; requiring the Office of Program Policy Analysis and Government Accountability to submit a report and recommendations to the Governor and the Legislature by a certain date; providing requirements for the report; amending s. 163.3248, F.S.; removing the requirement that regional planning councils provide assistance in developing a plan for a rural land stewardship area; amending s. 163.340, F.S.; expanding the definition of the term "blighted area" to include a substantial number or percentage of properties damaged by sinkhole activity which are not adequately repaired or stabilized; conforming a cross-reference; amending s. 163.524, F.S.; conforming a cross-reference; repealing s. 186.0201, F.S., relating to electric substation planning; amending s. 186.505, F.S.; removing the power of regional planning councils to establish and conduct cross-acceptance negotiation processes; creating s. 186.512, F.S.; subdividing the state into specified geographic regions for the purpose of regional comprehensive planning; authorizing the Governor to review and update the district boundaries of the regional planning councils; providing requirements to aid in the transition of regional planning councils; amending s. 186.513, F.S.; deleting the requirement that regional planning councils make joint reports and recommendations; amending s. 190.005, F.S.; requiring community development districts up to a certain size located within a connected-city corridor to be established pursuant to an ordinance; amending s. 253.7828, F.S.; conforming provisions to changes made by the act; repealing s. 260.018, F.S., relating to agency recognition of certain publicly owned lands and waters; amending s. 339.155, F.S.; removing certain duties of regional planning councils; amending s. 373.236, F.S.; authorizing a water management district to issue a permit to an applicant for the same period of time as the applicant's approved master development order, subject to certain requirements and restrictions; amending s. 380.06, F.S.; removing the requirement that certain developers submit biennial reports to regional planning agencies; providing that new proposed developments are subject to the state-coordinated review process and not the development of regional impact review process; amending s. 403.50663, F.S.; removing requirements relating to certain informational public meetings; amending s. 403.507, F.S.; removing the requirement that regional planning councils prepare reports addressing the impact of proposed electrical power plants; amending s. 403.508, F.S.; removing the requirement that regional planning councils participate in certain proceedings; amending s. 403.5115, F.S.; conforming provisions to changes made by the act; amending s. 403.526, F.S.; removing the requirement that regional planning councils prepare reports addressing the impact of proposed transmission lines or corridors; amending s. 403.527, F.S.; removing the requirement that regional planning councils parties participate in certain proceedings; amending s. 403.5272, F.S.; conforming provisions to changes made by the act; amending s. 403.7264, F.S.; removing the requirement that regional planning councils assist with amnesty days for purging small quantities of hazardous wastes; amending s. 403.941, F.S.; removing the requirement that regional planning councils prepare reports addressing the impact of proposed natural gas transmission lines or corridors; amending s. 403.9411, F.S.; removing the requirement that regional planning councils participate in certain proceedings; amending ss. 419.001 and 985.682, F.S.; removing provisions relating to the use of a certain dispute resolution process; providing an effective date.

—as amended April 14 was read the third time by title.

Senator Simpson moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (227810) (with title amendment)—Delete lines 140-218.

And the title is amended as follows:

Delete lines 2-16 and insert: An act relating to community development;

SENATOR FLORES PRESIDING

Amendment 2 (667424) (with title amendment)—Between lines 243 and 244 insert:

Section 3. Paragraph (c) of subsection (6) of section 163.3177, Florida Statutes, is amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:

(c) A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area. The element may be a detailed engineering plan including a topographic map depicting areas of prime groundwater recharge.

1. Each local government shall address in the data and analyses required by this section those facilities that provide service within the local government's jurisdiction. Local governments that provide facilities to serve areas within other local government jurisdictions shall also address those facilities in the data and analyses required by this section, using data from the comprehensive plan for those areas for the purpose of projecting facility needs as required in this subsection. For shared facilities, each local government shall indicate the proportional capacity of the systems allocated to serve its jurisdiction.

2. The element shall describe the problems and needs and the general facilities that will be required for solution of the problems and needs, including correcting existing facility deficiencies. The element shall address coordinating the extension of, or increase in the capacity of, facilities to meet future needs while maximizing the use of existing facilities and discouraging urban sprawl; conserving potable water resources; and protecting the functions of natural groundwater recharge areas and natural drainage features.

3. Within 18 months after the governing board approves an updated regional water supply plan, the element must incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to s. 373.709(2)(a) or proposed by the local government under s. 373.709(8)(b). If a local government is located within two water management districts, the local government shall adopt its comprehensive plan amendment within 18 months after the later updated regional water supply plan. The element must identify such alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs identified in s. 373.709(2)(a) within the local government's jurisdiction and include a work plan, covering at least a 10-year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, which are identified in the element as necessary to serve existing and new development. The work plan shall be updated, at a minimum, every 5 years within 18 months after the governing board of a water management district approves an updated regional water supply plan. Local governments, public and private utilities, regional water supply authorities, special districts, and water management districts are encouraged to cooperatively plan for the development of multijurisdictional water supply facilities that are sufficient to meet projected demands for established planning periods, including the development of alternative

water sources to supplement traditional sources of groundwater and surface water supplies.

4. A local government that does not own, operate, or maintain its own water supply facilities, including but not limited to wells, treatment facilities, and distribution infrastructure, and is served by a public water utility with a permitted allocation of greater than 300 million gallons per day is not required to amend its comprehensive plan in response to an updated regional water supply plan or to maintain a work plan if any such local government's usage of water constitutes less than 1 percent of the public water utility's total permitted allocation. However, any such local government is required to cooperate with, and provide relevant data to, any local government or utility provider that provides service within its jurisdiction, and to keep its general sanitary sewer, solid waste, potable water, and natural groundwater aquifer recharge element updated in accordance with s. 163.3191.

And the title is amended as follows:

Delete line 18 and insert: provisions; amending s. 163.3177, F.S.; providing that certain local governments are not required to amend their comprehensive plans or maintain a work plan under certain circumstances; amending s. 163.3184, F.S.; requiring plan

Amendment 3 (945250) (with title amendment)—Delete line 252 and insert: pursuant to s. 163.3245 or an amendment to an adopted sector plan; update a comprehensive plan based on an

And the title is amended as follows:

Delete lines 18-20 and insert: provisions; amending s. 163.3184, F.S.; requiring certain plan amendments to be subject to the

Senators Bullard and Simpson offered the following amendment which was moved by Senator Bullard and adopted by two-thirds vote:

Amendment 4 (190958) (with title amendment)—Between lines 1260 and 1261 insert:

Section 31. Subsection (3) of section 380.0666, Florida Statutes, is amended to read:

380.0666 Powers of land authority.—The land authority shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this act, including the following powers, which are in addition to all other powers granted by other provisions of this act:

(3) To acquire and dispose of real and personal property or any interest therein when such acquisition is necessary or appropriate to protect the natural environment, provide public access or public recreational facilities, preserve wildlife habitat areas, provide affordable housing to families whose income does not exceed 160 percent of the median family income for the area, or provide access to management of acquired lands; to acquire interests in land by means of land exchanges; to contribute tourist impact tax revenues received pursuant to s. 125.0108 to its most populous municipality or the housing authority of such municipality, at the request of the commission or council of such municipality, for the construction, redevelopment, or preservation of affordable housing in an area of critical state concern within such municipality; and to enter into all alternatives to the acquisition of fee interests in land, including, but not limited to, the acquisition of easements, development rights, life estates, leases, and leaseback arrangements. However, the land authority shall make such acquisition or contribution only if:

(a) Such acquisition or contribution is consistent with land development regulations and local comprehensive plans adopted and approved pursuant to this chapter;

(b) The property acquired is within an area designated as an area of critical state concern at the time of acquisition or is within an area that was designated as an area of critical state concern for at least 20 consecutive years prior to removal of the designation; and

(c) The property to be acquired has not been selected for purchase through another local, regional, state, or federal public land acquisition program. Such restriction shall not apply if the land authority cooperates with the other public land acquisition programs which listed

the lands for acquisition, to coordinate the acquisition and disposition of such lands. In such cases, the land authority may enter into contractual or other agreements to acquire lands jointly or for eventual resale to other public land acquisition programs.

Section 32. Paragraph (a) of subsection (3) of section 125.0108, Florida Statutes, is amended to read:

125.0108 Areas of critical state concern; tourist impact tax.—

(3) All tax revenues received pursuant to this section, less administrative costs, shall be distributed as follows:

(a) Fifty percent shall be transferred to the land authority to be used in accordance with s. 380.0666 to purchase property in the area of critical state concern for which the revenue is generated. An amount not to exceed 5 percent may be used for administration and other costs incident to the exercise of said powers such purchases.

And the title is amended as follows:

Delete line 135 and insert: dispute resolution process; amending s. 380.0666, F.S.; authorizing land authorities to contribute tourist impact tax revenues to certain municipalities for the construction, redevelopment, or preservation of affordable housing in areas of critical state concern within such municipalities; amending s. 125.0108, F.S.; conforming provisions to changes made by the act; providing an effective

On motion by Senator Simpson, **CS for CS for SB 1216** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for SB 716—A bill to be entitled An act relating to public records; creating s. 474.2167, F.S.; providing an exemption from public records requirements for certain animal medical records held by a state college of veterinary medicine that is accredited by the American Veterinary Medical Association Council on Education; authorizing disclosure under certain circumstances; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for SB 716** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

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

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

Nays—1

Hukill

Vote after roll call:

Yea—Mr. President

CS for SB 534—A bill to be entitled An act relating to human trafficking; creating s. 787.08, F.S.; requiring the Department of Transportation and certain employers to display human trafficking public awareness signs at specified locations; providing civil penalties for violations; requiring the Attorney General, in consultation with certain others, to develop specifications for the form and content of such signs; providing sign requirements; providing that the Attorney General is responsible for enforcement; requiring rulemaking; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 534**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 369** was withdrawn from the Committees on Transportation; Criminal Justice; and Appropriations.

On motion by Senator Latvala, the rules were waived and by two-thirds vote—

CS for CS for HB 369—A bill to be entitled An act relating to human trafficking; creating s. 787.08, F.S.; providing legislative findings; requiring the Department of Transportation to display human trafficking public awareness signs at specified locations; providing the form and content of such signs; providing a limit on expenditures; providing an effective date.

—a companion measure, was substituted for **CS for SB 534** and read the second time by title.

Senator Latvala moved the following amendment:

Amendment 1 (643094) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 787.29, Florida Statutes, is created to read:

787.29 Human trafficking public awareness signs.—

(1) *The Department of Transportation shall display a public awareness sign developed under subsection (4) in every rest area, turnpike service plaza, weigh station, primary airport, passenger rail station, and welcome center in the state which is open to the public.*

(2) *The Department of Health shall display a public awareness sign developed under subsection (4) in the emergency rooms at general acute care hospitals and in health departments and health clinics.*

(3) *The employer at each of the following establishments shall display a public awareness sign developed under subsection (4) in a conspicuous location that is clearly visible to the public and employees of the establishment:*

(a) *A strip club or other adult entertainment establishment.*

(b) *An establishment found to be a nuisance for prostitution under s. 893.138.*

(c) *The premises of a farm labor contractor where farm laborers are regularly present.*

(d) *A business or establishment that offers massage or bodywork services for compensation that is not owned by a health care profession regulated pursuant to chapter 456 and defined in s. 456.001.*

(4) *The required public awareness sign must be at least 8.5 inches by 11 inches in size, must be printed in at least a 16-point type, must be made of metal for locations provided in subsections (1) and (2), and metal, paper, or any other medium for private businesses, and must state substantially the following in English and Spanish: “If you or someone you know is being forced to engage in an activity and cannot leave—whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity—call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.”*

(5) *The county commission may adopt an ordinance to enforce subsection (3). A violation of subsection (3) shall be a noncriminal violation and punishable by a fine only as provided in s. 775.083.*

Section 2. *The Department of Transportation may not expend more than \$50,000 in the 2015-2016 fiscal year to produce the signs required by s. 787.29(1), Florida Statutes, as created by this act.*

Section 3. This act shall take effect January 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to human trafficking; creating s. 787.29, F.S.; requiring the Department of Transportation, the Department of Health, and certain employers to display human trafficking public awareness signs at specified locations; providing public awareness sign requirements; authorizing a county commission to adopt an enforcement ordinance; providing a penalty; providing a limit on expenditures; providing an effective date.

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

Senator Latvala moved the following amendment to **Amendment 1 (643094)** which was adopted:

Amendment 1A (758890)—Delete lines 14-35 and insert: *awareness sign developed under subsection (4) in health departments and health clinics.*

(3) *The employer at each of the following establishments shall display a public awareness sign developed under subsection (4) in a conspicuous location that is clearly visible to the public and employees of the establishment:*

(a) *A strip club or other adult entertainment establishment.*

(b) *An establishment found to be a nuisance for prostitution under s. 893.138.*

(c) *The premises of a farm labor contractor where farm laborers are regularly present.*

(d) *A business or establishment that offers massage or bodywork services for compensation that is not owned by a health care profession regulated pursuant to chapter 456 and defined in s. 456.001.*

(4) *The required public awareness sign must be at least 8.5 inches by 11 inches in size, must be printed in at least a 16-point type, must be made of metal for locations provided in subsection (1), and metal, paper, or any other medium for locations provided in subsection (2) and for private businesses, and must state substantially the*

Amendment 1 (643094) as amended was adopted.

On motion by Senator Latvala, by two-thirds vote **CS for CS for HB 369** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo

Altman

Bean

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

Nays—None

Vote after roll call:

Yea—Mr. President, Gaetz, Hays

CS for CS for SB 656—A bill to be entitled An act relating to unlawful detention by a transient occupant; creating s. 82.045, F.S.; defining the term “transient occupant”; providing factors that establish a transient occupancy; providing for removal of a transient occupant by a law enforcement officer; providing a cause of action for wrongful removal; limiting actions for wrongful removal; providing a civil action for removal of a transient occupant; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 656**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 305** was withdrawn from the Committees on Judiciary; Regulated Industries; and Rules.

On motion by Senator Latvala, by two-thirds vote—

CS for CS for HB 305—A bill to be entitled An act relating to unlawful detention by a transient occupant; creating s. 82.045, F.S.; defining the term “transient occupant”; providing factors that establish a transient occupancy; providing for removal of a transient occupant by a law enforcement officer; providing a cause of action for wrongful removal; limiting actions for wrongful removal; providing a civil action for removal of a transient occupant; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 656** and read the second time by title.

On motion by Senator Latvala, by two-thirds vote **CS for CS for HB 305** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

SB 672—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; authorizing a criminal witness subpoena

commanding a witness to appear for a deposition to be posted at the witness’s residence by an authorized person if one attempt to serve the subpoena has failed; reenacting ss. 48.196(2) and 409.257(5), F.S., to incorporate the amendment made to s. 48.031, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **SB 672** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 1208—A bill to be entitled An act relating to dietetics and nutrition; amending s. 468.503, F.S.; defining the term “commission”; redefining terms; amending s. 468.505, F.S.; authorizing certain registered or certified individuals to use specified titles and designations; amending s. 468.509, F.S.; requiring the Board of Medicine to waive the examination requirement for specified applicants; amending s. 468.516, F.S.; providing that a licensed dietitian/nutritionist treating a patient who is under the active care of a licensed physician or licensed chiropractor is not precluded from ordering a therapeutic diet if otherwise authorized to order such a diet; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1208**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 951** was withdrawn from the Committees on Health Policy; and Fiscal Policy.

On motion by Senator Bean, by two-thirds vote—

CS for HB 951—A bill to be entitled An act relating to dietetics and nutrition; amending s. 468.503, F.S.; defining the term “commission”; revising definitions; amending s. 468.505, F.S.; authorizing certain certified individuals to use specified titles and designations; amending s. 468.509, F.S.; requiring the Board of Medicine to waive the examination requirement for specified applicants; amending s. 468.516, F.S.; providing that a licensed dietitian or nutritionist treating a patient who is under the active care of a licensed physician or licensed chiropractor is not precluded from ordering a therapeutic diet; providing an effective date.

—a companion measure, was substituted for **CS for SB 1208** and read the second time by title.

On motion by Senator Bean, by two-thirds vote **CS for HB 951** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Abruzzo	Bradley	Clemens
Altman	Brandes	Dean
Bean	Braynon	Detert
Benacquisto	Bullard	Diaz de la Portilla

Evers	Hutson	Ring
Flores	Joyner	Sachs
Gaetz	Latvala	Simmons
Galvano	Lee	Simpson
Garcia	Legg	Smith
Gibson	Margolis	Sobel
Grimsley	Montford	Soto
Hays	Negron	Stargel
Hukill	Richter	Thompson

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for CS for SB 1094—A bill to be entitled An act relating to the peril of flood; amending s. 163.3178, F.S.; specifying requirements for the coastal management element required for a local government comprehensive plan; creating s. 472.0366, F.S.; defining terms; requiring a surveyor and mapper to complete an elevation certificate in accordance with a checklist developed by the Division of Emergency Management and to submit a copy of the elevation certificate to the division within a certain time after its completion; authorizing the redaction of certain personal information from the copy; amending s. 627.715, F.S.; authorizing flexible flood insurance; specifying coverage requirements; deleting a provision that prohibits supplemental flood insurance from including excess coverage over any other insurance covering the peril of flood; revising the information that must be prominently noted on a certain page of a flood insurance policy; requiring the Office of Insurance Regulation to require an insurer to provide an appropriate credit or refund to affected insureds if the office determines that a rate of the insurer is excessive or unfairly discriminatory; revising the notice that must be provided to and acknowledged by an applicant for flood coverage from an authorized or surplus lines insurer if the applicant's property is receiving flood insurance under the National Flood Insurance Program; allowing an authorized insurer to request a certification from the office which indicates that a policy, contract, or endorsement issued by the insurer provides coverage for the peril of flood which equals or exceeds the flood coverage offered by the National Flood Insurance Program; specifying requirements for such certification; authorizing such insurer or its agent to reference or include the certification in specified advertising, communications, and documentation; providing that misrepresenting that a flood policy, contract, or endorsement is certified is an unfair or deceptive act; providing an effective date.

—as amended April 14 was read the third time by title.

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

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

Amendment 1 (649738) (with title amendment)—Delete lines 93-97 and insert:

(2) *Beginning January 1, 2017, a surveyor and mapper shall, within 30 days after completion, submit to the division a copy of each elevation certificate that he or she completes. The copy must be unaltered,*

And the title is amended as follows:

Delete lines 7-11 and insert: to submit a copy of each elevation certificate that he or she completes to the Division of Emergency Management within a specified period beginning on a specified date; authorizing the redaction

On motion by Senator Brandes, **CS for CS for CS for SB 1094** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Abruzzo	Bean	Bradley
Altman	Benacquisto	Brandes

Braynon	Gibson	Negron
Bullard	Grimsley	Richter
Clemens	Hays	Ring
Dean	Hukill	Sachs
Detert	Hutson	Simmons
Diaz de la Portilla	Joyner	Simpson
Evers	Latvala	Smith
Flores	Lee	Sobel
Gaetz	Legg	Soto
Galvano	Margolis	Stargel
Garcia	Montford	Thompson

Nays—None

Vote after roll call:

Yea—Mr. President

SB 982—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 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 third time by title.

On motion by Senator Thompson, **SB 982** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **CS for SB 7068** was deferred.

CS for CS for SB 608—A bill to be entitled An act relating to real estate brokers and appraisers; amending s. 475.15, F.S.; requiring the Florida Real Estate Commission to adopt certain rules pertaining to broker registration on a temporary, emergency basis; amending s. 475.17, F.S.; clarifying education requirements that apply for post-

licensure and initial real estate licensure; amending s. 475.183, F.S.; authorizing the commission to reinstate the license of an individual in certain circumstances; amending s. 475.611, F.S.; revising the supervision requirements for registered trainee appraisers; amending s. 475.612, F.S.; revising the supervision requirements for select graduate students; amending s. 475.621, F.S.; requiring the Department of Business and Professional Regulation to collect annual fees set by and transmitted to the appraisal subcommittee; amending s. 475.629, F.S.; requiring an appraiser to prepare and retain a work file in certain circumstances; requiring an appraisal management company to prepare and retain an order file in certain circumstances; requiring the work file and the order file to be retained for a specified period; requiring the work file and the order file to contain certain data, information, and documentation; requiring appraisal management companies to retain certain items; deleting the prohibition against the inspection or copying of certain records by the department, which had been allowed only in connection with a pending investigation or complaint; amending s. 475.6295, F.S.; providing that duly authorized agents and employees of the department may inspect an appraisal management company at all reasonable hours; amending s. 475.631, F.S.; removing the board's authority to enter into written agreements with similar licensing or certification authorities; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for CS for SB 608** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Mr. President

SPECIAL ORDER CALENDAR

The Senate resumed consideration of—

CS for SB 768—A bill to be entitled An act relating to patient observation status notification; amending s. 395.301, F.S.; requiring a licensed facility to document observation services in a patient's discharge papers when the facility places the patient on observation status; requiring a licensed facility to notify a patient or patient's proxy of observation status through discharge papers; authorizing a licensed facility to notify a patient or patient's proxy of observation status through other forms of communication; providing an effective date.

—which was previously considered this day.

Pending further consideration of **CS for SB 768**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 309** was withdrawn from the Committees on Health Policy; Children, Families, and Elder Affairs; and Fiscal Policy.

On motion by Senator Gaetz, by two-thirds vote—

CS for HB 309—A bill to be entitled An act relating to patient admission status notification; amending s. 395.301, F.S.; providing requirements for licensed medical facilities for patient notification regarding admission status; providing an effective date.

—a companion measure, was substituted for **CS for SB 768** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 309** was placed on the calendar of Bills on Third Reading.

On motion by Senator Braynon—

SB 1010—A bill to be entitled An act relating to false personation; amending s. 843.08, F.S.; revising the list of officials who are prohibited from being falsely personated; revising terminology; amending s. 843.085, F.S.; prohibiting the sale or transfer of specified badges bearing in any manner or combination the words "fire department" and the ownership or operation of vehicles marked or identified by the words "fire department"; requiring specified intent for certain offenses; providing an exception; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1010** was placed on the calendar of Bills on Third Reading.

CS for SB 950—A bill to be entitled An act relating to public health emergencies; amending s. 381.0012, F.S.; requiring certain state and local officers to assist in enforcing rules and orders issued by the Department of Health under ch. 381, F.S.; amending s. 381.00315, F.S.; authorizing the State Health Officer to issue orders to isolate individuals; defining terms; clarifying the responsibilities of the department for isolation and quarantine; specifying that any order the department issues is immediately enforceable by a law enforcement officer; requiring the department to adopt rules for the imposing and lifting of isolation orders; providing a penalty for violating an isolation order; providing a legislative finding of important state interest; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 950**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 697** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Fiscal Policy.

On motion by Senator Hukill, by two-thirds vote—

CS for HB 697—A bill to be entitled An act relating to public health emergencies; amending s. 381.0012, F.S.; providing additional enforcement authority relating to public health orders issued by the Department of Health; amending s. 381.00315, F.S.; defining terms; authorizing the department to declare, enforce, modify, and abolish isolation of persons, animals, and premises for controlling communicable diseases or providing protection from unsafe conditions that pose a threat to public health; requiring the department to establish rules for conditions and procedures for imposing and releasing an order for isolation; providing that rules established under this section supersede all rules enacted by other state agencies, boards, or political subdivisions; amending s. 817.50, F.S.; prohibiting a person in certain circumstances from falsely claiming to a health care provider, or falsely reporting to a law enforcement officer, that such person has contracted a communicable disease; providing criminal penalties; specifying that the act fulfills an important state interest; providing an effective date.

—a companion measure, was substituted for **CS for SB 950** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 697** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1134—A bill to be entitled An act relating to blanket health insurance; amending s. 627.659, F.S.; expanding the types of individuals and entities which are eligible for blanket health insurance coverage; limiting the types of insurance coverages that may be provided to specified groups; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1134**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 893** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Fiscal Policy.

On motion by Senator Hays, by two-thirds vote—

CS for CS for HB 893—A bill to be entitled An act relating to blanket health insurance eligibility; amending s. 627.659, F.S.; revising the list of special groups of individuals covered by a policy or contract for blanket health insurance; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1134** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 893** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

CS for CS for SB 388—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

Senator Diaz de la Portilla moved the following amendment which was adopted.

Amendment 1 (829722)—Between lines 100 and 101 insert:

(29) That portion of U.S. 90/S.R. 10 between N. Woodward Avenue and Wadsworth Street in Leon County is designated as “Danny A. Pino Way.”

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

Senator Braynon moved the following amendment which was adopted:

Amendment 2 (406292)—Between lines 100 and 101 insert:

(29) Bridge number 870054 on S.R. 112/W. 41st Street/Arthur Godfrey Road in Miami Beach is designated as the “Senator Paul B. Steinberg Bridge.”

Pursuant to Rule 4.19, **CS for CS for SB 388** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 258—A bill to be entitled An act relating to property and casualty insurance; amending s. 627.0628, F.S.; requiring an insurer to employ in certain rate filings actuarial methods, principles, standards, models, or output ranges found by the Florida Commission on Hurricane Loss Projection Methodology to be accurate or reliable in determining probable maximum loss levels; authorizing an insurer to employ a model in a rate filing until 120 days after the expiration of the commission’s acceptance of that model; deleting a provision that required insurers to employ a specified model in a rate filing made more than 60 days after the commission found the model to be accurate or reliable; amending s. 627.0651, F.S.; revising provisions for the making and use of rates for motor vehicle insurance; amending s. 627.3518, F.S.; conforming a cross-reference; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant’s written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing a policyholder of personal lines insurance to affirmatively elect delivery of policy documents by electronic means; amending

s. 627.7074, F.S.; revising notification requirements for participation in the neutral evaluation program; amending s. 627.736, F.S.; revising the applicability of certain Medicare fee schedules or payment limitations; defining the term “service year”; amending s. 627.744, F.S.; revising the preinsurance inspection requirements for private passenger motor vehicles; repealing s. 631.65, F.S., relating to prohibited advertisement or solicitation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 258**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 165** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Brandes, by two-thirds vote—

CS for CS for CS for HB 165—A bill to be entitled An act relating to property and casualty insurance; amending s. 627.062, F.S.; restricting to certain property rate filings a requirement that the chief executive officer or chief financial officer and chief actuary of a property insurer certify the information contained in a rate filing; amending s. 627.0628, F.S.; requiring an insurer to employ in certain rate filings actuarial methods, principles, standards, models, or output ranges found by the Florida Commission on Hurricane Loss Projection Methodology to be accurate or reliable in determining probable maximum loss levels; authorizing an insurer to employ a model in a rate filing until 120 days after the expiration of the commission’s acceptance of that model; prohibiting insurers from modifying or adjusting the model after the commission finds the model to be accurate or reliable in determining probable maximum loss levels; amending s. 627.0645, F.S.; exempting commercial nonresidential multiperil insurance from annual base rate filing; amending s. 627.3518, F.S.; conforming a cross-reference; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.7074, F.S.; revising notification requirements for participation in the neutral evaluation program; amending s. 627.736, F.S.; revising the period for applicability of certain Medicare fee schedules or payment limitations; exempting certain federally certified entities from the requirement to be licensed in order to receive reimbursement under the Florida Motor Vehicle No-Fault Law; amending s. 627.744, F.S.; revising preinsurance inspection requirements for private passenger motor vehicles; amending s. 631.65, F.S.; authorizing, rather than prohibiting, an advertisement or a solicitation to use the existence of the Florida Insurance Guaranty Association to sell, solicit, or induce the purchase of certain insurance if the advertisement or solicitation explains specified coverage limits; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 258** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 165** was placed on the calendar of Bills on Third Reading.

CS for SB 842—A bill to be entitled An act relating to Citizens Property Insurance Corporation eligibility for coverage; amending s. 627.351, F.S.; deleting a provision prohibiting certain improvements to major structures from being eligible for coverage by the Citizens Property Insurance Corporation; prohibiting coverage for major structures rebuilt, repaired, restored, or remodeled to increase the total square footage of finished area by a specified amount; reenacting s. 627.712(1), F.S., relating to residential windstorm coverage, to incorporate the amendment made by this act to s. 627.351, F.S.; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 842**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 715** was withdrawn from

the Committees on Banking and Insurance; Community Affairs; and Fiscal Policy.

On motion by Senator Benacquisto—

CS for HB 715—A bill to be entitled An act relating to eligibility for coverage by Citizens Property Insurance Corporation; amending s. 627.351, F.S.; deleting a provision prohibiting certain improvements to major structures from being eligible for coverage by Citizens Property Insurance Corporation; revising provisions with respect to prohibitions on coverage for major structures that have undergone specified changes after a specified permit application date; reenacting s. 627.712(1), F.S., relating to residential windstorm coverage, to incorporate the amendment made by this act to s. 627.351, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 842** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 715** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1106**, **CS for SB 1108**, **CS for SB 1110**, **CS for SB 1362**, **SB 662**, and **CS for SB 418** was deferred.

CS for CS for SB 268—A bill to be entitled An act relating to amusement games or machines; creating s. 546.10, F.S.; providing legislative findings; defining terms and phrases; authorizing an amusement game or machine to be operated with specified requirements; providing requirements for classifying such a device as a Type 1 or a Type 2 amusement game or machine; providing that amusement games or machines may only be located at specified locations; specifying the maximum value on the redemption value of a coupon or a point; requiring the Department of Revenue to annually adjust the maximum value; providing a formula for the adjustment of the maximum value; requiring the department to publish the amount of the adjusted maximum value; authorizing certain persons or entities to enjoin the operation of an amusement game or machine; providing penalties; amending s. 551.102, F.S.; conforming a cross-reference; repealing s. 849.161, F.S., relating to amusement games or machines; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 268**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 641** was withdrawn from the Committees on Regulated Industries; Finance and Tax; and Appropriations.

On motion by Senator Stargel—

CS for HB 641—A bill to be entitled An act relating to amusement games or machines; creating s. 546.10, F.S.; creating the “Family Amusement Games Act”; providing legislative findings; defining terms; authorizing operation of an amusement game or machine pursuant to specified provisions; providing classifications for such a device; providing that specified types of amusement games or machines may only be located at certain locations; specifying the maximum value on the redemption value of a coupon or a point; requiring the Department of Revenue to annually adjust the maximum value; providing a formula for adjustment of the maximum value; requiring the department to publish the amount of the adjusted maximum value; authorizing certain persons or entities to enjoin the operation of an amusement game or machine; providing penalties; amending s. 551.102, F.S.; conforming a cross-reference; repealing s. 849.161, F.S., relating to amusement games or machines; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 268** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 641** was placed on the calendar of Bills on Third Reading.

SB 662—A bill to be entitled An act relating to mobile homes; amending s. 73.072, F.S.; conforming a cross-reference; amending s.

723.003, F.S.; providing definitions; amending s. 723.006, F.S.; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to approve training and educational programs for board members of mobile home owners’ associations; providing duties of the division; providing requirements for education curriculum information for board member and mobile home owner training; amending s. 723.023, F.S.; revising mobile home owner’s general obligations; amending s. 723.031, F.S.; conforming a cross-reference; amending s. 723.037, F.S.; providing and revising requirements for lot rental increases; amending s. 723.059, F.S.; revising provisions relating to rights of purchasers of lifetime leases; amending s. 723.0611, F.S.; providing for the removal of a member of the board of directors under certain conditions; amending s. 723.078, F.S.; revising provisions with respect to the bylaws of homeowners’ associations; revising quorum and voting requirements; revising provisions relating to board of directors, committee, and member meetings; providing requirements for meeting minutes; revising requirements for the amendment of articles of incorporation and bylaws; revising requirements for the recall of board members; creating s. 723.1255, F.S.; providing requirements for the alternative resolution of recall disputes; creating s. 723.0781, F.S.; specifying certification or educational requirements for a newly elected or appointed board member; amending s. 723.079, F.S.; revising and providing requirements relating to the official records of the association; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 662**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 307** was withdrawn from the Committees on Regulated Industries; Community Affairs; and Appropriations.

On motion by Senator Latvala—

CS for CS for HB 307—A bill to be entitled An act relating to mobile homes; amending s. 73.072, F.S.; conforming a cross-reference; amending s. 723.003, F.S.; providing definitions; amending s. 723.006, F.S.; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to approve training and educational programs for board members of mobile home owners’ associations; providing duties of the division; providing requirements for education curriculum information for board member and mobile home owner training; amending s. 723.023, F.S.; revising mobile home owner’s general obligations; amending s. 723.031, F.S.; conforming a cross-reference; amending s. 723.037, F.S.; providing and revising requirements for lot rental increases; amending s. 723.059, F.S.; revising provisions relating to rights of purchasers of lifetime leases; amending s. 723.0611, F.S.; providing for the removal of a member of the board of directors under certain conditions; amending s. 723.078, F.S.; revising provisions with respect to the bylaws of homeowners’ associations; revising quorum and voting requirements; revising provisions relating to board of directors, committee, and member meetings; providing requirements for meeting minutes; revising requirements for the amendment of articles of incorporation and bylaws; revising requirements for the recall of board members; creating s. 723.1255, F.S.; providing requirements for the alternative resolution of recall disputes; creating s. 723.0781, F.S.; specifying certification or educational requirements for a newly elected or appointed board member; amending s. 723.079, F.S.; revising and providing requirements relating to the official records of the association; providing an effective date.

—a companion measure, was substituted for **SB 662** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 307** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 496—A bill to be entitled An act relating to guardians; providing a short title; amending s. 39.6251, F.S.; requiring the court at the permanency review hearing to review the necessity of continuing guardianship and whether restoration of guardianship proceedings are needed when a young adult reaches a certain age under certain circumstances; amending s. 39.701, F.S.; requiring that, for a child meeting certain requirements, the updated case plan be developed in a face-to-face conference with specified persons; requiring the Department of Children and Families to take specified actions at the judicial review hearing if the court makes certain determinations; re-

quiring the department to provide documentation and information to a petitioner under certain circumstances; requiring certain proceedings to be conducted separately; expanding the circumstances under which a court, after making certain findings, may issue an order directing the department to show cause; amending s. 393.12, F.S.; providing that the guardianship court has jurisdiction over proceedings for appointment of a guardian advocate if petitions are filed for certain minors who are subject to a proceeding under ch. 39, F.S., if such minors have attained a specified age; providing that such minors have the same due process rights as certain adults; providing requirements for when an order appointing a guardian advocate must be issued; requiring that proceedings seeking appointment of a guardian advocate for certain minors be conducted in separate proceedings; amending s. 744.301, F.S.; providing that if a child is subject to proceedings under ch. 39, F.S., the parents may act as natural guardians unless the dependency or probate court finds that it is not in the child's best interests or their parental rights have been terminated; amending s. 744.3021, F.S.; requiring the guardianship court to initiate proceedings for appointment of guardians for certain minors who are subject to proceedings under ch. 39, F.S., if petitions are filed and if such minors have reached a specified age; providing that certain minors have the same due process rights as certain adults; providing requirements for when an order of adjudication and letters of limited or plenary guardianship may be issued; requiring that proceedings seeking appointment of a guardian advocate for certain minors be conducted in separate proceedings; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 496**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 437** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Appropriations.

On motion by Senator Detert—

CS for CS for HB 437—A bill to be entitled An act relating to guardians for dependent children who are developmentally disabled or incapacitated; amending s. 39.6251, F.S.; requiring the continued review of the necessity of guardianships for young adults; amending s. 39.701, F.S.; requiring an updated case plan developed in a face-to-face conference with the child, if appropriate, and other specified persons; providing requirements for the Department of Children and Families when a court determines that there is a good faith basis to appoint a guardian advocate, limited guardian, or plenary guardian for the child and that no less restrictive decisionmaking assistance will meet the child's needs; requiring the department to provide specified information if another interested party or participant initiates proceedings for the appointment of a guardian advocate, plenary guardian, or limited guardian for the child; requiring that proceedings seeking appointment of a guardian advocate or a determination of incapacity and the appointment of a guardian be conducted in a separate proceeding in guardianship court; amending s. 393.12, F.S.; providing that the guardianship court has jurisdiction over proceedings for appointment of a guardian advocate if petitions are filed for certain minors who are subject to chapter 39, F.S., proceedings if such minors have attained a specified age; providing that such minor has the same due process rights as certain adults; providing requirements for when an order appointing a guardian advocate must be issued; providing that proceedings seeking appointment of a guardian advocate for certain minors be conducted separately from any other proceeding; amending s. 744.301, F.S.; providing that if a child is subject to proceedings under chapter 39, F.S., the parents may act as natural guardians unless the court finds that it is not in the child's best interests or their parental rights have been terminated; amending s. 744.3021, F.S.; requiring the guardianship court to initiate proceedings for appointment of guardians for certain minors who are subject to chapter 39, F.S., proceedings if petitions are filed and if such minors have reached a specified age; providing that such minor has the same due process rights as certain adults; providing requirements for when an order of adjudication and letters of limited or plenary guardianship must be issued; providing that proceedings seeking appointment of a guardian advocate for certain minors be conducted separately from any other proceeding; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 496** and read the second time by title.

Senator Detert moved the following amendment which was adopted:

Amendment 1 (517794) (with title amendment)—Before line 55 insert:

Section 1. *This act may be cited as “The Regis Little Act to Protect Children with Special Needs.”*

And the title is amended as follows:

Between lines 3 and 4 insert: providing a short title;

Pursuant to Rule 4.19, **CS for CS for HB 437**, as amended, was placed on the calendar of Bills on Third Reading.

SB 622—A bill to be entitled An act relating to higher education facilities financing; amending s. 243.52, F.S.; expanding the definition of the term “project” as it relates to the Higher Educational Facilities Financing Act; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 622**, pursuant to Rule 3.11(3), there being no objection, **HB 461** was withdrawn from the Committees on Higher Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Montford—

HB 461—A bill to be entitled An act relating to independent nonprofit higher educational facilities financing; amending s. 243.52, F.S.; revising the definition of the term “project” for purposes of the Higher Educational Facilities Financing Act; providing an effective date.

—a companion measure, was substituted for **SB 622** and read the second time by title.

Pursuant to Rule 4.19, **HB 461** was placed on the calendar of Bills on Third Reading.

CS for SB 922—A bill to be entitled An act relating to the appointment of an ad litem; creating s. 49.31, F.S.; defining the term “ad litem”; authorizing a court to appoint an ad litem for certain parties upon whom service of process by publication is made; prohibiting a court from appointing an ad litem to represent an interest for which a personal representative, guardian of property, or trustee is serving; requiring an ad litem, upon discovery that the party he or she represents is already represented by a personal representative, guardian of property, or trustee, or is deceased, to take certain actions; prohibiting a court from requiring an ad litem to post a bond or designate a resident agent; requiring a court to discharge an ad litem when the final judgment is entered or as otherwise ordered by the court; providing that an ad litem is entitled to an award of a reasonable fee for services and costs; providing for assessment; prohibiting the use of state funds to pay fees for services rendered by the ad litem except in certain circumstances; prohibiting declaring certain proceedings ineffective solely due to a lack of statutory authority to appoint an ad litem; providing construction; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 922**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 775** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

On motion by Senator Latvala—

CS for CS for CS for HB 775—A bill to be entitled An act relating to the appointment of an ad litem; creating s. 49.31, F.S.; defining the term “ad litem”; authorizing a court to appoint an ad litem for certain parties upon whom service of process by publication is made; prohibiting a court from appointing an ad litem to represent an interest for which a personal representative, guardian of property, or trustee is serving; requiring an ad litem, upon discovery that the party it represents is already represented by a personal representative, guardian of property, or trustee, or is deceased, to take certain actions; prohibiting a court from requiring an ad litem to post a bond or designate a resident agent; requiring a court to discharge an ad litem when the final judgment is entered or as

otherwise ordered by the court; providing that an ad litem is entitled to an award of a reasonable fee for services and costs; providing for assessment; prohibiting the use of state funds except in certain circumstances; prohibiting declaring certain proceedings ineffective solely due to a lack of statutory authority to appoint an ad litem; providing construction; providing an effective date.

—a companion measure, was substituted for **CS for SB 922** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 775** was placed on the calendar of Bills on Third Reading.

CS for SB 1314—A bill to be entitled An act relating to electronic noticing of trust accounts; amending s. 736.0109, F.S.; authorizing a sender to post a document to a secure electronic account or website upon the authorization of a recipient; providing for effective authorization for such posting; requiring a sender to provide a separate notice once a document is electronically posted; specifying when a document sent electronically is deemed received by the recipient; requiring a sender to provide notice of the beginning of a limitations period and authority of a recipient to amend or revoke authorization for electronic posting; providing a form that may be used to effectuate such notice; requiring documents posted to an electronic website to remain accessible to the recipient for a specified period; establishing burdens of proof for purposes of determining whether proper notifications were provided; specifying that electronic messages are deemed received when sent; specifying situations under which electronic messages are not deemed received; specifying that service of documents in a judicial proceeding are governed by the Florida Rules of Civil Procedure; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1314**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 961** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Rules.

On motion by Senator Bradley—

CS for HB 961—A bill to be entitled An act relating to electronic noticing of trust accounts; amending s. 736.0109, F.S.; authorizing a sender to post a document to a secure electronic account or website upon the approval of a recipient; providing for effective authorization for such posting; requiring a sender to provide a separate notice once a document is electronically posted; specifying when a document sent electronically is deemed received by the recipient; requiring a sender to provide notice of the beginning of a limitations period and authority of a recipient to amend or revoke authorization for electronic posting; providing a form that may be used to effectuate such notice; requiring documents posted to an electronic website to remain accessible to the recipient for a specified period; establishing burdens of proof for purposes of determining whether proper notifications were provided; specifying that electronic messages are deemed received when sent; specifying situations under which electronic messages are not deemed received; specifying that service of documents in a judicial proceeding are governed by the Florida Rules of Civil Procedure; providing an effective date.

—a companion measure, was substituted for **CS for SB 1314** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 961** was placed on the calendar of Bills on Third Reading.

CS for SB 1362—A bill to be entitled An act relating to the Department of Legal Affairs; amending s. 16.56, F.S.; revising the list of offenses that may be investigated and prosecuted by the Office of Statewide Prosecution; creating s. 16.62, F.S.; limiting the amount that the Department of Legal Affairs may spend annually to support specified recognition and awards programs, in addition to expenditures separately authorized by law; amending s. 409.9203, F.S.; specifying the distribution of certain funds recovered in Medicaid fraud actions; amending s. 501.203, F.S.; revising the term “violation of this part”; amending s. 501.204, F.S.; revising legislative intent; providing a directive to the Division of Law Revision and Information; creating s. 501.991, F.S.; providing legislative intent; creating s. 501.992, F.S.; defining terms;

creating s. 501.993, F.S.; prohibiting bad faith assertions of patent infringement from being made; providing factors that a court may consider when determining whether an allegation was or was not made in bad faith; creating s. 501.994, F.S.; authorizing a court to require a patent infringement plaintiff to post a bond under certain circumstances; limiting the bond amount; authorizing the court to waive the bond requirement in certain circumstances; creating s. 501.995, F.S.; authorizing private rights of action for violations of this part; authorizing the court to award certain relief to prevailing plaintiffs; creating s. 501.996, F.S.; providing that a violation of part VII of ch. 501 is an unfair or deceptive trade practice; creating s. 501.997, F.S.; providing exemptions; amending s. 960.03, F.S.; revising the definition of the term “crime” for purposes of obtaining crime victim compensation from the department to include certain forcible felonies; revising provisions concerning acts involving the operation of a motor vehicle, boat, or aircraft; revising the definition of the term “disabled adult”; correcting a cross-reference; amending s. 960.13, F.S.; exempting crime victim compensation awards for catastrophic injury from certain deductions; amending s. 960.195, F.S.; revising the maximum victim compensation amounts that the department may award to elderly persons or disabled adults who suffer a property loss that causes a substantial diminution in their quality of life in certain circumstances; revising the conditions under which elderly persons or disabled adults who suffer a property loss are eligible for an award; authorizing the department to deny, reduce, or withdraw a specified award upon finding that any claimant or award recipient has not duly cooperated with certain persons and entities; creating s. 960.196, F.S.; providing for relocation assistance for human trafficking victims; amending s. 960.198, F.S.; prohibiting relocation assistance for a domestic violence claim if the victim has received previous relocation assistance for a human trafficking claim; amending s. 960.199, F.S.; deleting provisions relating to relocation assistance for human trafficking victims; providing an effective date.

—was read the second time by title.

THE PRESIDENT PRESIDING

Pending further consideration of **CS for SB 1362**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 439** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

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

CS for CS for CS for HB 439—A bill to be entitled An act relating to the Department of Legal Affairs; amending s. 16.56, F.S.; revising the list of offenses that may be investigated and prosecuted by the Office of Statewide Prosecution; creating s. 16.62, F.S.; authorizing the Department of Legal Affairs to expend a specified amount annually for certain recognition and awards programs; amending s. 409.9203, F.S.; specifying the distribution of certain funds recovered in Medicaid fraud actions; amending ss. 501.203 and 501.204, F.S.; updating references for purposes of the Florida Deceptive and Unfair Trade Practices Act; amending s. 960.03, F.S.; revising the definition of the term “crime” for purposes of obtaining crime victim compensation from the department to include certain forcible felonies; revising provisions concerning acts involving the operation of a motor vehicle, boat, or aircraft; revising the definition of the term “disabled adult”; correcting a cross-reference; amending s. 960.13, F.S.; exempting crime victim compensation awards for catastrophic injury from certain deductions; amending s. 960.195, F.S.; revising the maximum victim compensation amounts that the department may award to an elderly person or disabled adult who suffers a property loss that causes a substantial diminution in his or her quality of life in certain circumstances; revising the conditions under which such persons are eligible for awards; authorizing the department to deny, reduce, or withdraw a specified award upon finding that a claimant or award recipient has not duly cooperated with certain persons and entities; creating s. 960.196, F.S.; providing for relocation assistance for human trafficking victims; amending s. 960.198, F.S.; prohibiting relocation assistance for a domestic violence claim if the victim has received previous relocation assistance for a human trafficking claim; amending s. 960.199, F.S.; deleting provisions relating to relocation assistance for human trafficking victims; providing an effective date.

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

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

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (402804) (with title amendment)—Delete lines 156-343 and insert:

Section 6. *The Division of Law Revision and Information is directed to create part VII of chapter 501, Florida Statutes, consisting of ss. 501.991-501.997, Florida Statutes, to be entitled the “Patent Troll Prevention Act.”*

Section 7. Section 501.991, Florida Statutes, is created to read:

501.991 *Legislative intent.*—

(1) *The Legislature recognizes that it is preempted from passing any law that conflicts with federal patent law. However, the Legislature recognizes that the state is dedicated to building an entrepreneurial and business-friendly economy where businesses and consumers alike are protected from abuse and fraud. This includes protection from abusive and bad faith demands and litigation.*

(2) *Patents encourage research, development, and innovation. Patent holders have a legitimate right to enforce their patents. The Legislature does not wish to interfere with good faith patent litigation or the good faith enforcement of patents. However, the Legislature recognizes a growing issue: the frivolous filing of bad faith patent claims that have led to technical, complex, and especially expensive litigation.*

(3) *The expense of patent litigation, which may cost millions of dollars, can be a significant burden on companies and small businesses. Not only do bad faith patent infringement claims impose undue burdens on individual businesses, they undermine the state’s effort to attract and nurture technological innovations. Funds spent to help avoid the threat of bad faith litigation are no longer available for serving communities through investing in producing new products, helping businesses expand, or hiring new workers. The Legislature wishes to help businesses avoid these costs by encouraging good faith assertions of patent infringement and the expeditious and efficient resolution of patent claims.*

Section 8. Section 501.992, Florida Statutes, is created to read:

501.992 *Definitions.*—As used in this part, the term:

(1) *“Demand letter” means a letter, e-mail, or other written communication asserting or claiming that a person has engaged in patent infringement.*

(2) *“Institution of higher education” means an educational institution as defined in 20 U.S.C. s. 1001(a).*

(3) *“Target” means a person residing in, incorporated in, or organized under the laws of this state who purchases, rents, leases, or otherwise obtains a product or service in the commercial market which is not for resale in the commercial market and who:*

(a) *Has received a demand letter or against whom a written assertion or allegation of patent infringement has been made; or*

(b) *Has been threatened in writing with litigation or against whom a lawsuit has been filed alleging patent infringement.*

Section 9. Section 501.993, Florida Statutes, is created to read:

501.993 *Bad faith assertions of patent infringement.*—A person may not make a bad faith assertion of patent infringement.

(1) *A court may consider the following factors as evidence that a person has made a bad faith assertion of patent infringement:*

(a) *The demand letter does not contain the following information:*

1. *The patent number;*

2. *The name and address of the patent owner and assignee, if any; and*

3. *Factual allegations concerning the specific areas in which the target’s products, services, or technology infringe or are covered by the claims in the patent.*

(b) *Before sending the demand letter, the person failed to conduct an analysis comparing the claims in the patent to the target’s products, services, or technology, or the analysis did not identify specific areas in which the target’s products, services, and technology were covered by the claims of the patent.*

(c) *The demand letter lacked the information listed under paragraph (a), the target requested the information, and the person failed to provide the information within a reasonable period.*

(d) *The demand letter requested payment of a license fee or response within an unreasonable period.*

(e) *The person offered to license the patent for an amount that is not based on a reasonable estimate of the value of the license.*

(f) *The claim or assertion of patent infringement is unenforceable, and the person knew, or should have known, that the claim or assertion was unenforceable.*

(g) *The claim or assertion of patent infringement is deceptive.*

(h) *The person, including its subsidiaries or affiliates, has previously filed or threatened to file one or more lawsuits based on the same or a similar claim of patent infringement and:*

1. *The threats or lawsuits lacked the information listed under paragraph (a); or*

2. *The person sued to enforce the claim of patent infringement and a court found the claim to be meritless.*

(i) *Any other factor the court finds relevant.*

(2) *A court may consider the following factors as evidence that a person has not made a bad faith assertion of patent infringement:*

(a) *The demand letter contained the information listed under paragraph (1)(a).*

(b) *The demand letter did not contain the information listed under paragraph (1)(a), the target requested the information, and the person provided the information within a reasonable period.*

(c) *The person engaged in a good faith effort to establish that the target has infringed the patent and negotiated an appropriate remedy.*

(d) *The person made a substantial investment in the use of the patented invention or discovery or in a product or sale of a product or item covered by the patent.*

(e) *The person is the inventor or joint inventor of the patented invention or discovery, or in the case of a patent filed by and awarded to an assignee of the original inventor or joint inventors, is the original assignee.*

(f) *The person has:*

1. *Demonstrated good faith business practices in previous efforts to enforce the patent, or a substantially similar patent; or*

2. *Successfully enforced the patent, or a substantially similar patent, through litigation.*

(g) *Any other factor the court finds relevant.*

Section 10. Section 501.994, Florida Statutes, is created to read:

501.994 *Bond.*—If a person initiates a proceeding against a target in a court of competent jurisdiction, the target may move that the proceeding involves a bad faith assertion of patent infringement in violation of this part and request that the court issue a protective order. After the motion, and if the court finds that the target has established a reasonable likelihood that the plaintiff has made a bad faith assertion of patent infringement, the court must require the plaintiff to post a bond in an amount equal to the lesser of \$250,000 or a good faith estimate of the

target's expense of litigation, including an estimate of reasonable attorney fees, conditioned on payment of any amount finally determined to be due to the target. The court shall hold a hearing at either party's request. A court may waive the bond requirement for good cause shown or if it finds the plaintiff has available assets equal to the amount of the proposed bond.

Section 11. Section 501.995, Florida Statutes, is created to read:

501.995 Private right of action.—A person aggrieved by a violation of this part may bring an action in a court of competent jurisdiction. A court may award the following remedies to a prevailing plaintiff in an action brought pursuant to this section:

- (1) Equitable relief;*
- (2) Damages;*
- (3) Costs and fees, including reasonable attorney fees; and*
- (4) Punitive damages in an amount equal to \$50,000 or three times the total damages, costs, and fees, whichever is greater.*

Section 12. Section 501.996, Florida Statutes, is created to read:

501.996 Enforcement.—A violation of this part is an unfair or deceptive trade practice under part II of this chapter.

Section 13. Section 501.997, Florida Statutes, is created to read:

501.997 Exemptions.—This part does not apply to an institution of higher education, to a technology transfer organization owned by or affiliated with an institution of higher education, or to a demand letter or an assertion of patent infringement that includes a claim for relief arising under 35 U.S.C. s. 271(e)(2) or 42 U.S.C. s. 262.

Section 14. Subsections (3) and (6) of section 960.03, Florida Statutes, are amended to read:

960.03 Definitions; ss. 960.01-960.28.—As used in ss. 960.01-960.28, unless the context otherwise requires, the term:

(3) “Crime” means:

(a) A felony or misdemeanor offense committed by an adult or a juvenile which results in physical injury or death, *a forcible felony committed by an adult or juvenile which directly results in psychiatric or psychological injury*, or a felony or misdemeanor offense of child abuse committed by an adult or a juvenile which results in a mental injury, as defined in s. 827.03, to a person younger than 18 years of age who was not physically injured by the criminal act. The mental injury to the minor must be verified by a psychologist licensed under chapter 490, by a physician licensed in this state under chapter 458 or chapter 459 who has completed an accredited residency in psychiatry, or by a physician who has obtained certification as an expert witness pursuant to s. 458.3175. The term also includes a criminal act that is committed within this state but that falls exclusively within federal jurisdiction.

(b) A violation of s. 316.027(2), s. 316.193, s. 316.1935 ~~s. 316.027(1)~~, s. 327.35(1), s. 782.071(1)(b), or s. 860.13(1)(a) which results in physical injury or death.

(c) ~~however, An act involving the operation of a motor vehicle, boat, or aircraft which results in another person's injury or death that is intentionally inflicted through the use of the vehicle, boat, or aircraft; however, no other act involving the operation of a motor vehicle, boat, or aircraft constitutes a crime for purposes of this chapter does not constitute a crime for the purpose of this chapter unless the injury or death was intentionally inflicted through the use of the vehicle, boat, or aircraft.~~

(d) ~~(e)~~ A criminal act committed outside this state against a resident of this state which would have been compensable if it had occurred in this state and which occurred in a jurisdiction that does not have an eligible crime victim compensation program as the term is defined in the federal Victims of Crime Act of 1984.

(e) ~~(d)~~ A violation of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.0138, related to online sexual exploitation and child pornography.

(6) “Disabled adult” means a person 18 years of age or older who suffers from a condition of physical or mental incapacitation due to a developmental disability, ~~or~~ organic brain damage, or mental illness or who has one or more physical or mental limitations that restrict the person's ability to perform the normal activities of daily living.

Section 15. Subsection (6) of section 960.13, Florida Statutes, is amended to read:

960.13 Awards.—

(6) Any award made pursuant to this chapter, except an award for loss of support or catastrophic injury, shall be reduced by the amount of any payments or services received or to be received by the claimant as a result of the injury or death:

(a) From or on behalf of the person who committed the crime; provided, however, that a restitution award ordered by a court to be paid to the claimant by the person who committed the crime shall not reduce any award made pursuant to this chapter unless it appears to the department that the claimant will be unjustly enriched thereby.

(b) From any other public or private source or provider, including, but not limited to, an award of workers' compensation pursuant to chapter 440.

(c) From agencies mandated by other Florida statutes to provide or pay for services, except as provided in s. 960.28.

(d) From an emergency award under s. 960.12.

Section 16. Section 960.195, Florida Statutes, is amended to read:

960.195 Awards to elderly persons or disabled adults for property loss.—

(1) Notwithstanding the criteria in s. 960.13, for crime victim compensation awards, the department may award a maximum of \$500 on any one claim and a lifetime maximum of \$1,000 on all claims to elderly persons or disabled adults who suffer a property loss that causes a substantial diminution in their quality of life when:

(a) ~~(1)~~ There is proof that a criminal or delinquent act was committed;

(b) ~~(2)~~ The criminal or delinquent act is reported to law enforcement authorities within 72 hours, unless the department, for good cause shown, finds the delay to have been justified;

~~(3) The victim cooperates with law enforcement authorities in the investigation of the criminal or delinquent act;~~

(c) ~~(4)~~ There is proof that the tangible personal property in question belonged to the claimant;

(d) ~~(5)~~ The claimant did not contribute to the criminal or delinquent act;

(e) ~~(6)~~ There is no other source of reimbursement or indemnification available to the claimant; and

(f) ~~(7)~~ The claimant would not be able to replace the tangible personal property in question without incurring a serious financial hardship.

(2) The department may deny, reduce, or withdraw any award under subsection (1) upon finding that any claimant or award recipient has not duly cooperated with the state attorney, all law enforcement agencies, and the department.

Section 17. Section 960.196, Florida Statutes, is created to read:

960.196 Relocation assistance for victims of human trafficking.—

(1) Notwithstanding the criteria specified in ss. 960.07(2) and 960.13 for crime victim compensation awards, the department may award a one-time payment of up to \$1,500 for any one claim and a lifetime maximum of \$3,000 to a victim of human trafficking who needs urgent assistance to escape from an unsafe environment directly related to the human trafficking offense.

(2) In order for an award to be granted to a victim for relocation assistance:

(a) There must be proof that a human trafficking offense, as described in s. 787.06(3)(b), (d), (f), or (g), was committed.

(b) The crime must be reported to the proper authorities and the claim must be filed within 1 year, or 2 years with good cause, after the date of the last human trafficking offense, as described in s. 787.06(3)(b), (d), (f), or (g). In a case that exceeds the 2-year requirement due to an active and ongoing investigation, a state attorney, statewide prosecutor, or federal prosecutor may certify in writing a human trafficking victim's need to relocate from an unsafe environment due to the threat of future violence which is directly related to the human trafficking offense.

(c) The victim's need must be certified by a certified domestic violence or rape crisis center in this state, except as provided in paragraph (b). The center's certification must assert that the victim is cooperating with the proper authorities and must include documentation that the victim has developed a safety plan.

(3) Relocation payments for a human trafficking claim shall be denied if the department has previously approved or paid out a domestic violence or sexual battery relocation claim under s. 960.198 or s. 960.199 to the same victim regarding the same incident.

Section 18. Subsection (3) of section 960.198, Florida Statutes, is amended to read:

960.198 Relocation assistance for victims of domestic violence.—

(3) Relocation payments for a domestic violence claim shall be denied if the department has previously approved or paid out a *human trafficking* or sexual battery relocation claim under s. 960.196 or s. 960.199 to the same victim regarding the same incident.

Section 19. Section 960.199, Florida Statutes, is amended to read:

960.199 Relocation assistance for victims of sexual battery ~~or human trafficking~~.—

(1) The department may award a one-time payment of up to \$1,500 on any one claim and a lifetime maximum of \$3,000 to a victim of sexual battery, as defined in s. 794.011, ~~or a victim of human trafficking, as described in s. 787.06(3)(b), (d), (f), or (g),~~ who needs relocation assistance.

(2) In order for an award to be granted to a victim for relocation assistance:

(a) There must be proof that a sexual battery offense ~~or human trafficking offense, as described in s. 787.06(3)(b), (d), (f), or (g),~~ was committed.

(b) The sexual battery offense ~~or human trafficking offense, as defined in s. 787.06(3)(b), (d), (f), or (g),~~ must be reported to the proper authorities.

(c) The victim's need for assistance must be certified by a certified rape crisis center in this state ~~or by the state attorney or statewide prosecutor having jurisdiction over the offense. A victim of human trafficking's need for assistance may also be certified by a certified domestic violence center in this state.~~

(d) The center's certification must assert that the victim is cooperating with law enforcement officials, if applicable, and must include documentation that the victim has developed a safety plan. ~~If the victim seeking relocation assistance is a victim of a human trafficking offense as described in s. 787.06(3)(b), (d), (f), or (g), the certified rape crisis center's or certified domestic violence center's certification must include, if applicable, approval of the state attorney or statewide prosecutor attesting that the victim is cooperating with law enforcement officials.~~

(e) The act of sexual battery ~~or human trafficking, as described in s. 787.06(3)(b), (d), (f), or (g),~~ must be committed in the victim's place of residence or in a location that would lead the victim to reasonably fear for his or her continued safety in the place of residence.

(3) Relocation payments for a sexual battery ~~or human trafficking~~ claim under this section shall be denied if the department has previously approved or paid out a *human trafficking* or domestic violence relocation claim under s. 960.196 or s. 960.198 to the same victim regarding the same incident.

Section 20. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

And the title is amended as follows:

Delete lines 13-40 and insert: providing a directive to the Division of Law Revision and Information; creating s. 501.991, F.S.; providing legislative intent; creating s. 501.992, F.S.; defining terms; creating s. 501.993, F.S.; prohibiting bad faith assertions of patent infringement from being made; providing factors that a court may consider when determining whether an allegation was or was not made in bad faith; creating s. 501.994, F.S.; authorizing a court to require a patent infringement plaintiff to post a bond under certain circumstances; limiting the bond amount; authorizing the court to waive the bond requirement in certain circumstances; creating s. 501.995, F.S.; authorizing private rights of action for violations of this part; authorizing the court to award certain relief to prevailing plaintiffs; creating s. 501.996, F.S.; providing that a violation of part VII of ch. 501, F.S., is an unfair or deceptive trade practice; creating s. 501.997, F.S.; providing exemptions; amending s. 960.03, F.S.; revising the definition of the term "crime" for purposes of obtaining crime victim compensation from the department to include certain forcible felonies; revising provisions concerning acts involving the operation of a motor vehicle, boat, or aircraft; revising the definition of the term "disabled adult"; correcting a cross-reference; amending s. 960.13, F.S.; exempting crime victim compensation awards for catastrophic injury from certain deductions; amending s. 960.195, F.S.; revising the maximum victim compensation amounts that the department may award to elderly persons or disabled adults who suffer a property loss that causes a substantial diminution in their quality of life in certain circumstances; revising the conditions under which elderly persons or disabled adults who suffer a property loss are eligible for an award; authorizing the department to deny, reduce, or withdraw a specified award upon finding that any claimant or award recipient has not duly cooperated with certain persons and entities; creating s. 960.196, F.S.; providing for relocation assistance for human trafficking victims; amending s. 960.198, F.S.; prohibiting relocation assistance for a domestic violence claim if the victim has received previous relocation assistance for a human trafficking claim; amending s. 960.199, F.S.; deleting provisions relating to relocation assistance for human trafficking victims; providing that the provisions of this act are severable; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for CS for HB 439**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1106—A bill to be entitled An act relating to human trafficking; amending s. 796.07, F.S.; providing enhanced criminal penalties for soliciting another to commit prostitution and similar offenses; requiring persons convicted of such offenses to perform community service and pay for and attend an education program; requiring the court to impose minimum mandatory terms of incarceration for persons convicted two or more times of soliciting another to commit prostitution and similar offenses; providing for impoundment of a vehicle used in soliciting another to commit prostitution and similar offenses; providing an opportunity for owners to prevent the impoundment or immobilization in certain circumstances; amending s. 943.0583, F.S.; providing that any court in the circuit in which the petitioner was arrested may expunge the criminal history record of a victim of human trafficking; requiring a judge to allow an advocate to be present with a human trafficking victim in an expunction hearing in certain circumstances; amending ss. 456.074, 480.041, and 480.043, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1106**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 465** was withdrawn

from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Flores—

CS for CS for HB 465—A bill to be entitled An act relating to human trafficking; amending s. 796.07, F.S.; providing enhanced criminal penalties for soliciting another to commit prostitution and similar offenses; requiring persons convicted of such offenses to perform community service and pay for and attend an education program; requiring the court to impose minimum mandatory terms of incarceration for persons convicted two or more times of soliciting another to commit prostitution and similar offenses; providing for impoundment of a vehicle used in soliciting another to commit prostitution and similar offenses; providing an opportunity for owners to prevent the impoundment or immobilization in certain circumstances; amending s. 943.0583, F.S.; providing that any court in the circuit in which the petitioner was arrested may expunge the criminal history record of a victim of human trafficking; requiring a judge to allow an advocate to be present with a human trafficking victim in an expunction hearing in certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 1106** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 465** was placed on the calendar of Bills on Third Reading.

CS for SB 1108—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; revising an exemption from public records requirements for certain criminal intelligence and investigative information to exempt information that reveals the identity of a victim of certain human trafficking offenses; amending s. 943.0583, F.S.; providing an exemption from public records requirements for investigative information relating to criminal history records of human trafficking victims that have been ordered expunged; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1108**, pursuant to Rule 3.11(3), there being no objection, **HB 467** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Accountability; and Appropriations.

On motion by Senator Flores—

HB 467—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; revising an exemption from public records requirements for certain criminal intelligence and investigative information to exempt information that reveals the identity of a victim of certain human trafficking offenses; amending s. 943.0583, F.S.; providing an exemption from public records requirements for investigative information relating to criminal history records of human trafficking victims that have been ordered expunged; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1108** and read the second time by title.

Pursuant to Rule 4.19, **HB 467** was placed on the calendar of Bills on Third Reading.

CS for SB 1110—A bill to be entitled An act relating to public records; amending s. 409.1678, F.S.; providing an exemption from public records requirements for information held by an agency about the location of safe houses, safe foster homes, and other residential facilities serving victims of sexual exploitation; providing for future legislative review and repeal of the exemption; amending s. 787.06, F.S.; providing an exemption from public records requirements for information held by an agency about the location of residential facilities serving adult victims of human trafficking involving commercial sexual activity; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1110**, pursuant to Rule 3.11(3), there being no objection, **HB 469** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Accountability; and Appropriations.

On motion by Senator Flores—

HB 469—A bill to be entitled An act relating to public records; amending s. 409.1678, F.S.; providing an exemption from public records requirements for information about the location of safe houses, safe foster homes, and other residential facilities serving victims of sexual exploitation held by an agency; providing exceptions; providing for future legislative review and repeal of the exemption; providing applicability; amending s. 787.06, F.S.; providing an exemption from public records requirements for information held by an agency about the location of residential facilities serving adult victims of human trafficking involving commercial sexual activity; providing exceptions; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1110** and read the second time by title.

Pursuant to Rule 4.19, **HB 469** was placed on the calendar of Bills on Third Reading.

CS for SB 418—A bill to be entitled An act relating to construction defect claims; amending s. 558.001, F.S.; revising legislative intent; amending s. 558.002, F.S.; revising the definition of the term “completion of a building or improvement”; amending s. 558.004, F.S.; providing additional requirements for a notice of claim; revising requirements for a response; revising provisions relating to production of certain records; amending ss. 718.203 and 719.203, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 418**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 87** was withdrawn from the Committees on Regulated Industries; Banking and Insurance; and Fiscal Policy.

On motion by Senator Richter—

CS for CS for CS for HB 87—A bill to be entitled An act relating to construction defect claims; amending s. 558.001, F.S.; revising legislative intent; amending s. 558.002, F.S.; revising the definition of the term “completion of a building or improvement”; amending s. 558.004, F.S.; providing additional requirements for a notice of claim; revising requirements for a response; revising provisions relating to production of certain records; amending ss. 718.203 and 719.203, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 418** and read the second time by title.

On motion by Senator Richter, further consideration of **CS for CS for CS for HB 87** was deferred.

BILLS ON THIRD READING

CS for CS for CS for SB 554—A bill to be entitled An act relating to limited liability companies; amending s. 605.0103, F.S.; specifying that persons who are not members of a limited liability company are not deemed to have notice of a provision of the company’s articles of organization which limits a person’s authority to transfer real property held in the company’s name unless such limitation appears in an affidavit, certificate, or other instrument that is recorded in a specified manner; amending s. 605.0105, F.S.; removing the prohibition that an operating agreement may not vary the power of a person to dissociate; clarifying that an operating agreement is prohibited from providing indemnification for a member or manager in certain circumstances; authorizing an operating agreement to alter or eliminate any other fiduciary duty;

amending s. 605.0111, F.S.; providing that the duties of the member, manager, or other person may be restricted, expanded, or eliminated in certain circumstances; amending s. 605.04073, F.S.; requiring certain conditions for members of a limited liability company, without a meeting, to take certain actions requiring the vote or consent of the members; amending s. 605.04091, F.S.; providing that the duty of loyalty includes, but is not limited to, specified actions; revising the duty of care in the conduct or winding up of the company's activities and affairs; amending s. 605.0410, F.S.; requiring a limited liability company to provide a record of certain information within a specified period to a member who makes a demand; amending s. 605.0602, F.S.; revising the events that cause a person to be dissociated as a member; amending s. 605.0715, F.S.; revising which materials and information a specified limited liability company must submit to the Department of State as part of an application for reinstatement after administrative dissolution; amending s. 605.0909, F.S.; revising which materials and information a specified limited liability company must submit to the Department of State as part of an application for reinstatement after revocation of certificate of authority; amending s. 605.1072, F.S.; deleting a provision providing an exception to the limitation of remedies for appraisal events under specified circumstances; amending s. 605.1108, F.S.; deleting a provision requiring that, for a limited liability company formed before a specified date, certain language in the company's articles of organization operates as if it were in the operating agreement; repealing chapter 608, F.S., relating to the Florida Limited Liability Company Act; amending ss. 15.16, 48.062, 213.758, 220.02, 220.03, 220.13, 310.181, 440.02, 605.0401, 605.04074, 605.04091, 606.06, 607.1108, 607.1109, 607.11101, 621.12, 636.204, 655.0201, 658.2953, 694.16, and 1002.395, F.S.; conforming provisions to the repeal of the Florida Limited Liability Company Act; providing retroactive applicability; amending ss. 605.0102, 605.0712, 605.0717, and 605.0805, F.S.; revising a definition; conforming cross-references; providing effective dates.

—as amended April 14 was read the third time by title.

Pending further consideration of **CS for CS for CS for SB 554** as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 531** was withdrawn from the Committees on Commerce and Tourism; Judiciary; and Rules.

On motion by Senator Simmons, by two-thirds vote—

CS for CS for CS for HB 531—A bill to be entitled An act relating to limited liability companies; amending s. 605.0103, F.S.; specifying that persons who are not members of a limited liability company are not deemed to have notice of a provision of the company's articles of organization which limits a person's authority to transfer real property held in the company's name unless such limitation appears in an affidavit, certificate, or other instrument that is recorded in a specified manner; amending s. 605.0105, F.S.; removing the prohibition that an operating agreement may not vary the power of a person to dissociate; clarifying that an operating agreement is prohibited from providing indemnification for a member or manager in certain circumstances; authorizing an operating agreement to alter or eliminate any other fiduciary duty; amending s. 605.0111, F.S.; providing that the duties of the member, manager, or other person may be restricted, expanded, or eliminated in certain circumstances; amending s. 605.04073, F.S.; requiring certain conditions for members of a limited liability company, without a meeting, to take certain actions requiring the vote or consent of the members; amending s. 605.04091, F.S.; providing that the duty of loyalty of members and managers includes, but is not limited to, specified actions; revising the duty of care in the conduct or winding up of the company's activities and affairs; amending s. 605.0410, F.S.; requiring a limited liability company to provide a record of certain information within a specified period to a member who makes a demand; amending s. 605.0602, F.S.; revising the conditions under which a member may be expelled for a material breach of the company's operating agreement or the standards of conduct for members; amending s. 605.0715, F.S.; revising which materials and information a specified limited liability company must submit to the Department of State as part of an application for reinstatement after administrative dissolution; amending s. 605.0909, F.S.; revising which materials and information a specified limited liability company must submit to the Department of State as part of an application for reinstatement after revocation of certificate of

authority; amending s. 605.1072, F.S.; deleting a provision providing an exception to the limitation of remedies for appraisal events under specified circumstances; amending s. 605.1108, F.S.; deleting a provision requiring that, for a limited liability company formed before a specified date, certain language in the company's articles of organization operates as if it were in the operating agreement; repealing chapter 608, F.S., relating to the Florida Limited Liability Company Act; amending ss. 15.16, 48.062, 213.758, 220.02, 220.03, 220.13, 310.181, 440.02, 605.0401, 605.04074, 605.04091, 606.06, 607.1108, 607.1109, 607.11101, 621.12, 636.204, 655.0201, 658.2953, 694.16, and 1002.395, F.S.; conforming provisions to the repeal of the Florida Limited Liability Company Act; providing retroactive applicability; amending ss. 605.0102, 605.0712, 605.0717, and 605.0805, F.S.; revising a definition; conforming cross-references; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 554** as amended and read the second time by title.

On motion by Senator Simmons, by two-thirds vote **CS for CS for CS for HB 531** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Altman

CS for SB 1146—A bill to be entitled An act relating to agency relationships with governmental health care contractors; amending s. 766.1115, F.S.; redefining terms; deleting an obsolete date; extending sovereign immunity to employees or agents of a health care provider that executes a contract with a governmental contractor; clarifying that a receipt of specified notice must be acknowledged by a patient or the patient's representative at the initial visit; requiring the posting of notice that a specified health care provider is an agent of a governmental contractor; amending s. 768.28, F.S.; redefining the term "officer, employee, or agent" to include employees or agents of a health care provider; providing an effective date.

—as amended April 14 was read the third time by title.

On motion by Senator Simmons, **CS for SB 1146** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Detert	Hukill
Abruzzo	Diaz de la Portilla	Hutson
Bean	Evers	Joyner
Benacquisto	Flores	Latvala
Bradley	Gaetz	Lee
Brandes	Galvano	Legg
Braynon	Garcia	Margolis
Bullard	Gibson	Montford
Clemens	Grimsley	Negron
Dean	Hays	Richter

Ring	Simpson	Stargel
Sachs	Sobel	Thompson
Simmons	Soto	

Nays—None

Vote after roll call:

Yea—Altman

CS for CS for SB 1024—A bill to be entitled An act relating to the Central Florida Expressway Authority; amending s. 348.753, F.S.; requiring the chairs of the boards of specified county commissions each to appoint one member from their respective counties who is a commission member or chair or a county mayor to serve on the governing body of the authority; specifying that the terms of members appointed by the Governor end on a specified date; removing the requirement that the authority elect one of its members as secretary; amending s. 348.754, F.S.; specifying that the Central Florida Expressway Authority is a party to a certain lease-purchase agreement between the department and the Orlando-Orange County Expressway Authority; amending s. 348.757, F.S.; removing the requirement that title in fee simple absolute to the former Orlando-Orange County Expressway System be transferred to the state upon the completion of the faithful performance and termination of a specified lease-purchase agreement; revising the title of part III of ch. 348, F.S.; providing an effective date.

—was read the third time by title.

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

Amendment 1 (462832) (with title amendment)—Delete lines 35-37 and insert:
 Commission. *Subject to confirmation by the Senate during the next regular session of the Legislature, the Governor shall appoint three citizen members, each of whom must be a resident citizen of either Orange County, Seminole County, Lake County, or Osceola County. Refusal or failure of the Senate to confirm an appointment shall create a vacancy. The eighth member must*

And the title is amended as follows:

Delete line 8 and insert: authority; requiring Senate confirmation of members appointed by the Governor; providing that the Senate's refusal or failure to confirm a Governor-appointed member creates a vacancy; specifying that the terms of members

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

Senator Flores moved the following amendment:

Amendment 2 (621812) (with title amendment)—Before line 26 insert:

Section 1. Paragraph (d) of subsection (2) of section 348.0003, Florida Statutes, is amended, and paragraph (a) of subsection (5) of that section is amended and paragraph (l) is added to that subsection, to read:

348.0003 Expressway authority; formation; membership.—

(2) The governing body of an authority shall consist of not fewer than five nor more than nine voting members. The district secretary of the affected department district shall serve as a nonvoting member of the governing body of each authority located within the district. Each member of the governing body must at all times during his or her term of office be a permanent resident of the county which he or she is appointed to represent.

(d) Notwithstanding any provision to the contrary in this subsection, in any county as defined in s. 125.011(1), the governing body of an authority ~~shall~~ consist of ~~11 voting~~ ~~up to 13~~ members, and the following provisions of this paragraph ~~shall~~ apply specifically to such authority. ~~Six~~ ~~Except for the district secretary of the department, the members must be residents of the county. Seven voting members of the authority shall be appointed by the governing body of the county.~~ ~~At the~~

~~discretion of the governing body of the county, up to two of the members appointed by the governing body of the county may be elected officials residing in the county. three~~ Five voting members of the authority shall be appointed by the Governor, ~~and~~ one member shall be the district secretary of the department serving in the district that contains ~~the~~ ~~such~~ county, ~~who~~. This member shall ~~be~~ serve an ex officio voting member of ~~the~~ authority. The county mayor shall serve as chair of the authority. With the exception of the district secretary of the department, the members of the authority must be residents of the county. A member of the authority serving as of October 1, 2015, may serve the remainder of his or her term. However, upon the conclusion of his or her term or upon a vacancy, such expired term or vacancy may not be filled unless such appointment meets the requirements of this paragraph. When the term of a member expires or a vacancy occurs, the member may not be replaced by the authority until the governing body of the authority is composed of six voting members appointed by the governing body of the county and three voting members, other than the district secretary, appointed by the Governor. ~~If the governing board of an authority includes any member originally appointed by the governing body of the county as a nonvoting member, when the term of such member expires, that member shall be replaced by a member appointed by the Governor until the governing body of the authority is composed of seven members appointed by the governing body of the county and five members appointed by the Governor. Except as provided in subsection (5), the qualifications, terms of office, and obligations and rights of members of the authority shall be determined by resolution or ordinance of the governing body of the county in a manner that is consistent with subsections (3) and (4).~~

(5) In a county as defined in s. 125.011(1):

(a)1. A lobbyist, as defined in s. 112.3215, may not be appointed or serve as a member of an authority.

2. A person may not be appointed as a member of the governing body of an authority if that person currently represents, or has in the previous 4 years represented, any client for compensation before the authority.

3. A person may not be appointed as a member of the governing body of an authority if he or she currently represents, is employed by, or acts as an agent for, or has within the previous 4 years represented, been employed by, or acted as an agent for, any person or entity that is performing construction engineering and inspection services or construction and design-build services, or within the previous 4 years has performed construction engineering and inspection services or construction and design-build services for the authority.

(l) A finding of a violation of this subsection or chapter 112, or failure to comply within 90 days after receiving a notice of failure to comply with financial disclosure requirements, results in immediate termination from the governing body of the authority.

And the title is amended as follows:

Delete lines 2-3 and insert: An act relating to expressway authorities; amending s. 348.0003, F.S.; revising qualifications for membership on the governing body of a specified expressway authority; revising term requirements for such membership; providing for termination from an authority's governing body upon a finding of a violation of specified ethical conduct provisions or failure to comply with a notice of failure to comply with financial disclosure requirements; amending s. 348.753, F.S.; requiring the

On motion by Senator Simmons, further consideration of **CS for CS for SB 1024** as amended with pending **Amendment 2 (621812)** was deferred.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Grimsley, by two-thirds vote **CS for SB 468** was withdrawn from the committees of reference and further consideration.

On motion by Senator Diaz de la Portilla, by two-thirds vote **SB 696** and **SB 108** were withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Bullard, by two-thirds vote **SR 1004** was withdrawn from further consideration.

On motion by Senator Simmons, the rules were waived and the bills remaining on the Special Order Calendar this day were retained on the Special Order Calendar.

On motion by Senator Simmons, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Thursday, April 23, 2015.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, April 22, 2015: CS for SB 746, CS for SB 768, SB 996, CS for SB 1098, CS for CS for SB 382, CS for SB 1388, CS for SB 636, CS for CS for CS for SB 736, CS for SB 816, CS for SB 904, SB 1010, CS for SB 950, CS for CS for SB 1134, CS for CS for SB 388, CS for CS for SB 258, CS for SB 1106, CS for SB 1108, CS for SB 1110, CS for SB 1362, SB 662, CS for SB 418, CS for CS for SB 268, CS for CS for CS for SB 496, SB 622, CS for SB 922, CS for SB 1314.

Respectfully submitted,
David Simmons, Rules Chair
Bill Galvano, Majority Leader
Arthenia L. Joyner, Minority Leader

The Committee on Appropriations recommends the following pass: CS for SB 60; CS for SB 68; CS for SB 80; CS for SB 84; CS for SB 1248; CS for SB 1302

The bills were placed on the Calendar.

The Committee on Fiscal Policy recommends committee substitutes for the following: SB 530; SB 780; CS for CS for SB 824; SB 888; CS for SB 1052; SB 1226; SB 1262; SB 7072

The Committee on Rules recommends committee substitutes for the following: CS for CS for SB 614; CS for CS for SB 1372

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Fiscal Policy; and Senator Ring—

CS for SB 530—A bill to be entitled An act relating to school district policy; amending s. 1001.41, F.S.; requiring district school boards to adopt a strategic plan; amending s. 1001.42, F.S.; revising provisions relating to standards of ethical conduct to apply to administrative personnel and school officers; requiring a school to monitor and evaluate its instructional practices and intervention strategies relating to the early warning system; amending s. 1006.147, F.S.; requiring school districts to review and revise their bullying and harassment policy at specified intervals; specifying that a school district policy requires a school to implement the policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring such a policy to include mandatory reporting procedures and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; requiring each school district to maintain an online portal accessible by a student's parent to anonymously report incidents of bullying or harassment; requiring a student's school to investigate reported incidents; deleting provisions relating to safe schools funds and data reporting requirements; amending s. 1006.283, F.S.; requiring school districts to notify parents of their ability to access

homework assignments through a local instructional improvement system; providing an effective date.

By the Committees on Rules; Regulated Industries; and Health Policy; and Senator Grimsley—

CS for CS for CS for SB 614—A bill to be entitled An act relating to health care; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; repealing s. 383.336, F.S., relating to provider hospitals, practice parameters, and peer review boards; amending s. 395.1051, F.S.; requiring a hospital to provide specified advance notice to certain obstetrical physicians before it closes its obstetrical department or ceases to provide obstetrical services; amending s. 409.967, F.S.; requiring a Medicaid managed care plan to allow a prescribing provider to request an override of a restriction on the use of medication imposed through a step-therapy or fail-first protocol; requiring the plan to grant such override within a specified timeframe under certain circumstances; prohibiting the duration of a step-therapy or fail-first protocol from exceeding the time period specified by the prescribing provider; providing that an override is not required under certain circumstances; amending s. 456.072, F.S.; applying existing penalties for violations relating to the prescribing or dispensing of controlled substances by an advanced registered nurse practitioner; amending s. 456.44, F.S.; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending s. 458.326, F.S.; defining the term "interventional pain medicine"; restricting the practice of interventional pain medicine to specified circumstances; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under ch. 458 or ch. 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term "advanced or specialized nursing practice"; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of the committee; providing parameters for the formulary; requiring that any formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; creating s. 627.42392, F.S.; defining the term "health insurer"; requiring that certain health insurers, which do not already use a certain form, use only a prior authorization form approved by the Financial Services Commission; requiring the commission to adopt by rule guidelines for such forms; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; creating s. 627.6466, F.S.; requiring an insurer to allow a prescribing provider to request an override of a restriction on the use of medication imposed through a step-therapy or fail-first protocol; requiring the insurer to grant such override within a specified timeframe under certain circumstances; prohibiting the duration of a step-therapy or fail-first protocol from exceeding the time period specified by the prescribing provider; providing that an override is not required under certain circumstances; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; creating s. 641.393, F.S.; requiring a health maintenance organization to allow a prescribing provider to request an override of a

restriction on the use of medication imposed through a step-therapy or fail-first protocol; requiring the health maintenance organization to grant such override within a specified timeframe under certain circumstances; prohibiting the duration of a step-therapy or fail-first protocol from exceeding the time period specified by the prescribing provider; providing that an override is not required under certain circumstances; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., to incorporate the amendment made to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., to incorporate the amendment made to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., to incorporate the amendment made to s. 458.347, F.S., in references thereto; reenacting s. 464.012(3)(c), F.S., to incorporate the amendment made to s. 464.003, F.S., in a reference thereto; reenacting ss. 456.041(1)(a), 458.348(1) and (2), and 459.025(1), F.S., to incorporate the amendment made to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., to incorporate the amendment made to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., to incorporate the amendment made to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., to incorporate the amendment made to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., to incorporate the amendment made to s. 948.03, F.S., in references thereto; providing effective dates.

By the Committee on Fiscal Policy; and Senator Smith—

CS for SB 780—A bill to be entitled An act relating to a special assessment for law enforcement services; creating s. 166.212, F.S.; authorizing a municipality to levy a special assessment to fund the costs of providing law enforcement services; requiring a municipality to adopt an ordinance and reduce its ad valorem millage to levy the special assessment; providing a methodology for the apportionment of the special assessment and the reduction of the ad valorem millage; requiring the property appraiser to list the special assessment on the notice of property taxes; specifying exceptions to the reduction of the ad valorem millage by more than a certain percentage; authorizing the Department of Revenue to adopt rules and forms; providing for construction; providing an effective date.

By the Committees on Fiscal Policy; Governmental Oversight and Accountability; and Community Affairs; and Senator Evers—

CS for CS for CS for SB 824—A bill to be entitled An act relating to public procurement practices; transferring, renumbering, and amending s. 287.05712, F.S.; revising definitions; deleting provisions creating the Public-Private Partnership Guidelines Task Force; requiring a private entity that submits an unsolicited proposal to pay an initial application fee and additional amounts if the fee does not cover certain costs; specifying payment methods; authorizing a responsible public entity to alter the statutory timeframe for accepting proposals for a qualifying project under certain circumstances; requiring a responsible public entity to include a design criteria package in a solicitation; specifying requirements for the design criteria package; deleting a provision that requires approval of the local governing body before a school board enters into a comprehensive agreement; revising the conditions necessary for a responsible public entity to approve a comprehensive agreement; deleting provisions relating to notice to affected local jurisdictions; providing that fees imposed by a private entity must be applied as set forth in the comprehensive agreement; restricting provisions in financing agreements that could result in a responsible public entity's losing ownership of real or tangible personal property; deleting a provision that requires a responsible public entity to comply with specific financial obligations; providing duties of the Department of Management Services; revising provisions relating to construction of the act; amending s. 287.0935, F.S.;

increasing the dollar threshold for a contract amount of a project for which a person, the state, or a political subdivision is prohibited from refusing a surety bond issued by a surety company that meets certain criteria; revising requirements for surety companies with respect to bonds issued for certain publicly funded contracts; providing an effective date.

By the Committee on Fiscal Policy; and Senator Detert—

CS for SB 888—A bill to be entitled An act relating to education; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 1011.62, F.S.; requiring a school district to add additional points to the calculation of a matrix of services for certain students beginning in a specified school year; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students participating in clinical field experience; amending s. 1012.75, F.S.; requiring the department to establish an educator liability insurance program; specifying program administration and eligibility requirements; amending s. 1012.79, F.S.; revising the membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a teacher or administrator in lieu of a probable cause determination; providing an effective date.

By the Committees on Fiscal Policy; and Health Policy; and Senator Brandes—

CS for CS for SB 1052—A bill to be entitled An act relating to experimental treatments for terminal conditions; creating s. 499.0295, F.S.; providing a short title; providing definitions; providing conditions for a manufacturer to provide certain drugs, products, or devices to an eligible patient; specifying insurance coverage requirements and exceptions; providing conditions for the provision of certain services by a hospital or health care facility; providing immunity from liability; providing protection from disciplinary or legal action against a physician who makes certain treatment recommendations; providing that a cause of action may not be asserted against the manufacturer of certain drugs, products, or devices or a person or entity caring for a patient using such drugs, products, or devices under certain circumstances; providing applicability; providing an effective date.

By the Committee on Fiscal Policy; and Senator Detert—

CS for SB 1226—A bill to be entitled An act relating to guardianship; providing directives to the Division of Law Revision and Information; amending s. 744.1012, F.S.; revising legislative intent; renumbering s. 744.201, F.S.; renumbering and amending s. 744.202, F.S.; conforming a cross-reference; renumbering s. 744.2025, F.S.; renumbering and amending s. 744.7021, F.S.; revising the responsibilities of the executive director for the Office of Public and Professional Guardians; conforming provisions to changes made by the act; renumbering and amending s. 744.1083, F.S.; removing a provision authorizing the executive director to suspend or revoke the registration of a guardian who commits certain violations; removing the requirement of written notification to the chief judge of the judicial circuit upon the executive director's denial, suspension, or revocation of a registration; conforming provisions to changes made by the act; conforming a cross-reference; renumbering and amending s. 744.1085, F.S.; removing an obsolete provision; conforming provisions to changes made by the act; conforming a cross-reference; creating s. 744.2004, F.S.; requiring the Office of Public and Professional Guardians to adopt rules; requiring the office, under certain circumstances, to make a specified recommendation to a court of competent jurisdiction; renumbering and amending s. 744.344, F.S.; requiring that a professional guardian appointed by a court to represent a ward be selected from a registry of professional guardians; requiring the chief judge of a circuit court to compile a list of professional guardians by county and provide the list to the clerk of court in each county; providing requirements for inclusion in the registry; providing procedures for a court to appoint a professional guardian; providing an exception; requiring the clerk of the court to maintain the registry and provide the court with the name of a professional guardian for appointment; renumbering and amending s. 744.703, F.S.; conforming provisions to changes made by the act; renumbering ss. 744.704 and 744.705, F.S.;

renumbering and amending ss. 744.706 and 744.707, F.S.; conforming provisions to changes made by the act; renumbering s. 744.709, F.S.; renumbering and amending s. 744.708, F.S.; conforming provisions to changes made by the act; renumbering and amending s. 744.7081, F.S.; providing the Office of Public and Professional Guardians with access to all court records relating to guardianship cases for which a professional guardian is appointed; providing that the office may access such records through all available means; conforming provisions to changes made by the act; renumbering and amending s. 744.7082, F.S.; conforming provisions to changes made by the act; renumbering and amending s. 744.712, F.S.; providing legislative intent; conforming provisions; renumbering and amending ss. 744.713, 744.714, and 744.715, F.S.; conforming provisions to changes made by the act; repealing s. 744.701, F.S.; relating to a short title; repealing s. 744.702, F.S.; relating to legislative intent; repealing s. 744.7101, F.S.; relating to a short title; repealing s. 744.711, F.S.; relating to legislative findings and intent; amending ss. 400.148, 744.3135, and 744.331, F.S.; conforming provisions to changes made by the act; amending ss. 20.415, 415.1102, and 744.524, F.S.; conforming cross-references; making technical changes; providing an appropriation; providing an effective date.

By the Committee on Fiscal Policy; and Senator Legg—

CS for SB 1262—A bill to be entitled An act relating to education; amending s. 1003.576, F.S.; requiring the Department of Education to have an operating electronic Individual Education Plan system in place for statewide use; amending s. 1005.22, F.S.; requiring the Commission for Independent Education to report certain data to the department annually by a certain date regarding institutions licensed by the commission; amending s. 1012.796, F.S.; authorizing the Commissioner of Education to issue a letter of guidance in response to a complaint against a teacher or administrator in lieu of a probable cause determination; creating s. 1013.385, F.S.; providing for school district construction flexibility; authorizing exceptions to construction requirements for educational facilities under certain circumstances; amending s. 1013.40, F.S.; increasing the number of beds which may be in a dormitory constructed by certain Florida College System institutions; providing an effective date.

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

CS for CS for CS for SB 1372—A bill to be entitled An act relating to government accountability; amending s. 11.40, F.S.; specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the Commissioner of Education may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; amending s. 11.45, F.S.; defining the terms "abuse," "fraud," and "waste"; revising the definition of the term "local governmental entity"; excluding water management districts from certain audit requirements; removing a cross-reference; authorizing the Auditor General to conduct audits of tourist development councils and county tourism promotion agencies; revising reporting requirements applicable to the Auditor General; amending s. 28.35, F.S.; revising reporting requirements applicable to the Florida Clerks of Court Operations Corporation; amending s. 43.16, F.S.; revising the responsibilities of the Justice Administrative Commission, each state attorney, each public defender, a criminal conflict and civil regional counsel, a capital collateral regional counsel, and the Guardian Ad Litem Program, to include the establishment and maintenance of certain internal controls; amending s. 112.313, F.S.; specifying that prohibitions on conflicting employment or contractual relationships for public officers or employees of an agency apply to contractual relationships held by certain business entities; amending s. 112.31455, F.S.; correcting a cross-reference; revising provisions governing collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests to include school districts; amending s. 112.3261, F.S.; revising terms to conform to changes made by the act; expanding the types of governmental entities that are subject to lobbyist registration requirements; requiring a governmental entity to create a lobbyist registration form; amending ss. 129.03, 129.06, 166.241, and 189.016, F.S.; requiring counties, municipalities, and special districts to maintain certain budget documents on the entities' websites for a specified period; amending s. 215.425, F.S.; defining the term "public funds"; revising nonapplicability

to the prohibition on extra compensation claims; requiring certain contracts to which a unit of government or state university is a party during a specified period to contain certain prohibitions on severance pay; requiring a unit of government to investigate and take necessary action to recover prohibited compensation; specifying methods of recovery and liability for unintentional and willful violations; providing a penalty; specifying applicability of procedures regarding suspension and removal of an officer who commits a willful violation; establishing eligibility criteria and amounts for rewards; specifying circumstances under which an employee has a cause of action under the Whistle-blower's Act; establishing causes of action if a unit of government fails to recover prohibited compensation within a certain timeframe; providing for applicability; amending s. 215.86, F.S.; revising management systems and controls to be employed by each state agency and the judicial branch; amending s. 215.97, F.S.; revising the definition of the term "audit threshold"; amending s. 215.985, F.S.; revising the requirements for a monthly financial statement provided by a water management district; amending s. 218.32, F.S.; revising the requirements of the annual financial audit report of a local governmental entity; authorizing the Department of Financial Services to request additional information from a local governmental entity; requiring a local governmental entity to respond to such requests within a specified timeframe; requiring the department to notify the Legislative Auditing Committee of non-compliance; amending s. 218.33, F.S.; requiring local governmental entities to establish and maintain internal controls; amending s. 218.39, F.S.; requiring an audited entity to respond to audit recommendations under specified circumstances; amending s. 218.391, F.S.; revising the composition of an audit committee; prohibiting an audit committee member from being an employee, chief executive officer, or chief financial officer of the respective governmental entity; requiring the chair of an audit committee to sign and execute an affidavit affirming compliance with auditor selection procedures; prescribing procedures in the event of noncompliance with auditor selection procedures; amending s. 288.92, F.S.; prohibiting specified officers and board members of Enterprise Florida, Inc., from representing a person or entity for compensation before Enterprise Florida, Inc., and associated entities thereof, for a specified timeframe; amending s. 288.9604, F.S.; prohibiting a director of the board of directors of the Florida Development Finance Corporation from representing a person or entity for compensation before the corporation for a specified timeframe; amending s. 373.536, F.S.; deleting obsolete language; requiring water management districts to maintain certain budget documents on the districts' websites for a specified period; amending s. 1002.33, F.S.; revising the responsibilities of the governing board of a charter school to include the establishment and maintenance of internal controls; amending s. 1002.37, F.S.; requiring completion of an annual financial audit of the Florida Virtual School; specifying audit requirements; requiring an audit report to be submitted to the board of trustees of the Florida Virtual School and the Auditor General; removing obsolete provisions; amending s. 1010.01, F.S.; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls; amending s. 1010.30, F.S.; requiring a district school board, Florida College System institution board of trustees, or university board of trustees to respond to audit recommendations under certain circumstances; amending ss. 68.082, 68.083, 218.503, and 1002.455, F.S.; conforming provisions and cross-references to changes made by the act; declaring that the act fulfills an important state interest; providing an effective date.

By the Committees on Fiscal Policy; and Transportation—

CS for SB 7072—A bill to be entitled An act relating to specialty license plates; amending s. 320.08053, F.S., relating to requirements for requests to establish a specialty license plate; deleting application requirements; revising presale requirements; providing an exception to the presale requirements for certain specialty plates; amending s. 320.08056, F.S.; authorizing a request for a specialty plate to be made annually to an authorized agent serving on behalf of the Department of Highway Safety and Motor Vehicles; deleting certain specialty license plates from the list of license plates for which an annual use fee must be collected; revising the minimum requirements to continue issuance of certain specialty plates; providing an exception to the minimum requirements for certain specialty plates; conforming cross-references; amending s. 320.08058, F.S.; deleting specified specialty license plates;

revising provisions relating to specified specialty license plates; conforming cross-references; amending ss. 320.08056 and 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop certain specialty license plates; establishing an annual use fee for the plates; providing for distribution and use of fees collected from the sale of the plates; providing effective dates.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling Appointee: Andrade, Fabio A., Weston	10/31/2016
Florida Commission on Community Service Appointee: Aloupis, Vance A., Aventura	09/14/2017
Board of Trustees of Indian River State College Appointee: Schirard, J. Brantley, Jr., Fort Pierce	05/31/2018
Board of Trustees of Valencia College Appointee: Gonzalez, Linda Landman, Orlando	05/31/2018
Florida Inland Navigation District Appointees: Crowley, T. Spencer, Miami Self, Lynette, Jacksonville	01/09/2019 01/09/2019
Board of Medicine Appointee: Orr, James W., Jr., Bonita Springs	10/31/2018
Board of Nursing Home Administrators Appointees: Lipman, Scott, Boca Raton Phelan, William J., Tallahassee	10/31/2018 10/31/2017
Board of Optometry Appointee: Spear, Carl H., Pensacola	10/31/2018
Southwest Florida Regional Planning Council, Region 9 Appointee: Mulhere, Robert J., Naples	10/01/2017
Board of Trustees, University of West Florida Appointee: Terry, Bentina C., Pensacola	01/06/2020

Referred to the Committee on Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 69 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Justice Appropriations Subcommittee, Children, Families & Seniors Subcommittee, Criminal Justice Subcommittee and Representative(s) Porter, Burgess, Campbell, Harrell, Hill, Jones, S., McBurney, Narain, Peters, Rooney, Spano, Van Zant, Watson, C.—

CS for CS for CS for HB 69—A bill to be entitled An act relating to missing persons with special needs; creating s. 937.041, F.S.; creating a pilot project in specified counties to provide personal devices to aid search-and-rescue efforts for persons with special needs; providing for administration of the project; requiring reports; providing for expiration; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Children, Families, and Elder Affairs; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 115 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Gaetz—

HB 115—A bill to be entitled An act relating to sentencing; amending s. 775.089, F.S.; revising the definition of the term "victim" to include governmental entities and political subdivisions in certain instances; creating ss. 838.23 and 839.27, F.S.; requiring the sentencing judge to order restitution and a specified number of community service work hours for violations of chapter 838, F.S., relating to bribery and misuse of public office, or chapter 839, F.S., relating to offenses by public officers and employees; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 165, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Santiago—

CS for CS for CS for HB 165—A bill to be entitled An act relating to property and casualty insurance; amending s. 627.062, F.S.; restricting to certain property rate filings a requirement that the chief executive officer or chief financial officer and chief actuary of a property insurer certify the information contained in a rate filing; amending s. 627.0628, F.S.; requiring an insurer to employ in certain rate filings actuarial methods, principles, standards, models, or output ranges found by the Florida Commission on Hurricane Loss Projection Methodology to be accurate or reliable in determining probable maximum loss levels; authorizing an insurer to employ a model in a rate filing until 120 days after the expiration of the commission's acceptance of that model; prohibiting insurers from modifying or adjusting the model after the commission finds the model to be accurate or reliable in determining probable maximum loss levels; amending s. 627.0645, F.S.; exempting commercial nonresidential multiperil insurance from annual base rate filing; amending s. 627.3518, F.S.; conforming a cross-reference; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.7074, F.S.; revising notification requirements for participation in the neutral evaluation program; amending s. 627.736, F.S.; revising the period for applicability of certain Medicare fee schedules or payment limitations; exempting certain federally certified entities from the requirement to be licensed in order to receive reimbursement under the Florida Motor Vehicle No-Fault Law; amending s. 627.744, F.S.; revising preinsurance inspection requirements for private passenger motor vehicles; amending s. 631.65, F.S.; authorizing, rather than prohibiting, an advertisement or a solicitation to use the existence of the Florida Insurance Guaranty Association to sell, solicit, or induce the purchase of certain insurance if the advertisement or solicitation explains specified coverage limits; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 201 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Narain, Campbell, DuBose, Harrell, Pafford, Van Zant—

CS for HB 201—A bill to be entitled An act relating to diabetes awareness training for law enforcement officers; providing a short title; creating s. 943.1726, F.S.; requiring the Department of Law Enforcement to establish an online continued employment training component relating to diabetic emergencies; specifying instruction to be included in the training component; providing that completion of the training may count toward continued employment instruction requirements; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 235 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Health & Human Services Committee and Representative(s) Eagle, Harrell—

CS for CS for HB 235—A bill to be entitled An act relating to restitution for juvenile offenses; amending s. 985.35, F.S.; conforming provisions to changes made by the act; amending s. 985.437, F.S.; requiring a child's parent or guardian, in addition to the child, to make restitution for damage or loss caused by the child's offense; providing for payment plans in certain circumstances; authorizing the parent or guardian to be absolved of liability for restitution in certain circumstances; authorizing the court to order restitution to be paid only by the parents or guardians who have current custody and parental responsibility; specifying that the Department of Children and Families, foster parents, specified facilities, and specified agencies contracted with the department are not guardians for purposes of restitution; amending s. 985.513, F.S.; removing duplicative provisions authorizing the court to require a parent or guardian to be responsible for any restitution ordered against the child; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 309 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Harrison, Campbell, Costello, Pilon—

CS for HB 309—A bill to be entitled An act relating to patient admission status notification; amending s. 395.301, F.S.; providing requirements for licensed medical facilities for patient notification regarding admission status; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 321, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Avila, Edwards, Pigman, Pritchett, Rogers, Williams, A.—

CS for CS for HB 321—A bill to be entitled An act relating to HIV testing; amending s. 381.004, F.S.; revising and providing definitions; specifying the notification and consent procedures for performing HIV tests in health care and nonhealth care settings; amending s. 456.032, F.S.; conforming a cross-reference; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 335, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Plasencia, Campbell, Pigman—

CS for CS for HB 335—A bill to be entitled An act relating to psychiatric nurses; amending s. 394.455, F.S.; revising the definition of the term "psychiatric nurse" to require specified national certification; amending s. 394.463, F.S.; authorizing a psychiatric nurse to approve the involuntary examination or release of a patient from a receiving facility in accordance with a specified protocol and under certain conditions; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 373 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee and Representative(s) Raulerson, Bileca, Richardson, Stevenson—

CS for CS for HB 373—A bill to be entitled An act relating to public accountancy; amending s. 473.302, F.S.; revising the definition of the term "licensed audit firm"; amending s. 473.309, F.S.; revising practice requirements for partnerships, corporations, and limited liability companies; amending s. 473.3101, F.S.; revising provisions relating to the licensure of firms and public accounting firms; amending s. 473.316, F.S.; revising the definition of the term "quality review" to include a peer review; amending ss. 473.3125 and 473.322, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Regulated Industries; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 401 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Business & Professions Subcommittee and Representative(s) Magar—

CS for HB 401—A bill to be entitled An act relating to public lodging and public food service establishments; amending s. 509.032, F.S.; revising the frequency at which the Division of Hotels and Restaurants of the Department of Business and Professional Regulation must reassess the inspection frequency of public food service establishments; revising the department's duties with respect to distribution of a specified food-

recovery brochure; deleting a restriction on the length of time that a licensed public food service establishment may operate at a temporary food service event; amending s. 509.091, F.S.; authorizing the division to deliver lodging inspection reports and food service inspection reports electronically; amending s. 509.101, F.S.; requiring operators of public food service establishments to maintain copies of food service inspection reports and make them available to the division; amending s. 509.251, F.S.; revising certain delinquent fees for license renewal; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 441 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Rodriguez, R., Campbell, Rogers—

HB 441—A bill to be entitled An act relating to home health agencies; amending s. 400.474, F.S.; revising the information that a home health agency is required to submit to the Agency for Health Care Administration for license renewal; removing requirement that a home health agency submit quarterly reports; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 553 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Perry—

HB 553—A bill to be entitled An act relating to public libraries; amending s. 257.015, F.S.; defining the terms "depository library" and "state publication"; amending s. 257.02, F.S.; revising the composition and duties of the State Library Council; amending s. 257.04, F.S.; revising the powers and duties of the Division of Library and Information Services of the Department of State; requiring the division to coordinate with the Division of Blind Services of the Department of Education to provide certain services; authorizing the division to issue electronic information; amending s. 257.05, F.S.; providing legislative findings; revising provisions regarding the delivery and distribution of publications; requiring specified entities in state government to designate a state publications liaison; removing the definition of the term "public document"; revising the duties of the division with respect to the management of the State Publications Program; amending s. 257.36, F.S.; removing a provision requiring the division to provide a centralized microfilming program for state agencies; amending ss. 257.105, 283.31, and 286.001, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 565 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Government Operations Subcommittee and Representative(s) Be-shears—

CS for HB 565—A bill to be entitled An act relating to retirement; amending s. 121.055, F.S.; authorizing local agency employers to re-

assess the designation of positions for inclusion in the Senior Management Service Class; providing for removal of certain positions; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 633, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Sullivan, Ahern, Avila, Baxley, Burgess, Burton, Costello, Cummings, Drake, Eisnaugle, Gaetz, Hill, La Rosa, Mayfield, Moraitis, Plakon, Raburn, Renuart, Rodrigues, R., Rooney, Stone, Van Zant—

HB 633—A bill to be entitled An act relating to informed patient consent; amending s. 390.0111, F.S.; revising conditions for the voluntary and informed consent to a termination of pregnancy; reenacting s. 390.012(3)(d), F.S., relating to Agency for Health Care Administration rules regarding medical screening and evaluation of abortion clinic patients, to incorporate the amendment made by this act to s. 390.0111, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 697 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Quality Subcommittee and Representative(s) Gonzalez—

CS for HB 697—A bill to be entitled An act relating to public health emergencies; amending s. 381.0012, F.S.; providing additional enforcement authority relating to public health orders issued by the Department of Health; amending s. 381.00315, F.S.; defining terms; authorizing the department to declare, enforce, modify, and abolish isolation of persons, animals, and premises for controlling communicable diseases or providing protection from unsafe conditions that pose a threat to public health; requiring the department to establish rules for conditions and procedures for imposing and releasing an order for isolation; providing that rules established under this section supersede all rules enacted by other state agencies, boards, or political subdivisions; amending s. 817.50, F.S.; prohibiting a person in certain circumstances from falsely claiming to a health care provider, or falsely reporting to a law enforcement officer, that such person has contracted a communicable disease; providing criminal penalties; specifying that the act fulfills an important state interest; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 779, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Jones, M., Rogers—

CS for CS for HB 779—A bill to be entitled An act relating to rental agreements; creating s. 83.561, F.S.; providing that a purchaser taking title to a tenant-occupied residential property following a foreclosure sale takes title to the property, subject to the rights of the tenant; specifying the rights of the tenant; authorizing a tenant to remain in

possession of the property for 30 days following receipt of written notice; prescribing the form for a 30-day notice of termination; establishing requirements for delivery of the notice; authorizing a purchaser to apply for a writ of possession if a tenant refuses to vacate the property; providing exceptions; providing for construction; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 787 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Agriculture & Natural Resources Subcommittee and Representative(s) Peters—

CS for HB 787—A bill to be entitled An act relating to recycled and recovered materials; amending s. 403.727, F.S.; exempting a person who sells, transfers, or arranges for the transfer of recycled and recovered materials from liability for hazardous substances released or threatened to be released from the receiving facility or site, under certain circumstances; defining the term "recycled and recovered materials"; providing retroactive application under certain circumstances; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 791, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee, Civil Justice Subcommittee and Representative(s) Moraitis, Mayfield—

CS for CS for HB 791—A bill to be entitled An act relating to residential properties; amending s. 617.0721, F.S.; authorizing the use of a copy, facsimile transmission, or other reliable reproduction of an original proxy vote for certain purposes; amending s. 718.111, F.S.; revising liability of unit owners under certain conditions; revising what constitutes official records of an association; amending s. 718.112, F.S.; authorizing the electronic transmission of notices of certain meetings of a condominium association irrespective of whether authorized by the association's bylaws; revising provisions relating to the voting process for providing reserves; creating s. 718.128, F.S.; authorizing condominium associations to conduct votes of the membership by online voting under certain conditions; providing that a member voting electronically is counted toward the determination of a quorum; providing applicability; amending s. 719.106, F.S.; authorizing the electronic transmission of notices of certain meetings of a cooperative association irrespective of whether authorized by the association's bylaws; creating s. 719.129, F.S.; authorizing cooperative associations to conduct votes of the membership by online voting under certain conditions; providing that a member voting electronically is counted toward the determination of a quorum; providing applicability; amending s. 718.116, F.S.; revising applicability; revising effect of a claim of lien; amending s. 718.303, F.S.; providing that a fine may be levied by the board under certain conditions; revising requirements for levying a fine or suspension; amending s. 718.707, F.S.; extending the time period for classification as bulk assignee or bulk buyer; amending s. 719.104, F.S.;

revising what constitutes the official records of an association; amending s. 719.108, F.S.; revising applicability; revising effect of a claim of lien; amending s. 719.303, F.S.; providing that a fine may be levied by the board under certain conditions; revising requirements for levying a fine or suspension; amending s. 720.301, F.S.; revising the definition of the term "governing documents"; creating s. 720.3015, F.S.; providing a short title; amending s. 720.305, F.S.; revising requirements for levying a fine or suspension; revising application of certain provisions; amending s. 720.306, F.S.; revising requirements for the adoption of amendments to the governing documents; revising requirements for the election of directors; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 801 and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Government Operations Appropriations Subcommittee and Representative(s) Taylor, Metz—

CS for CS for HB 801—A bill to be entitled An act relating to the Beirut Memorial; amending s. 265.111, F.S.; requiring the Capitol Complex memorial garden to include a monument to the members of the United States Armed Forces who lost their lives in Beirut, Lebanon, on a specified date; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 887 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Trumbull—

HB 887—A bill to be entitled An act relating to unclaimed property; creating s. 717.1382, F.S.; providing for escheatment to the state of unclaimed United States savings bonds; providing for judicial determination of escheatment; providing procedures for challenging escheatment; providing for deposit of the proceeds of escheatment; creating s. 717.1383, F.S.; providing that a person claiming a United States savings bond may file a claim with the Department of Financial Services; providing limitations on such claim; providing applicability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 889, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Health Quality Subcommittee, Civil Justice Subcommittee and Representative(s) Wood—

CS for CS for CS for HB 889—A bill to be entitled An act relating to health care representatives; amending s. 743.0645, F.S.; conforming provisions to changes made by the act; amending s. 765.101, F.S.; defining terms for purposes of provisions relating to health care advanced directives; revising definitions to conform to changes made by the act;

amending s. 765.102, F.S.; revising legislative intent to include reference to surrogate authority that is not dependent on a determination of incapacity; amending s. 765.104, F.S.; conforming provisions to changes made by the act; amending s. 765.105, F.S.; conforming provisions to changes made by the act; providing an exception for a patient who has designated a surrogate to make health care decisions and receive health information without a determination of incapacity being required; amending ss. 765.1103 and 765.1105, F.S.; conforming provisions to changes made by the act; amending s. 765.202, F.S.; revising provisions relating to the designation of health care surrogates; amending s. 765.203, F.S.; revising the suggested form for designation of a health care surrogate; creating s. 765.2035, F.S.; providing for the designation of health care surrogates for minors; providing for designation of an alternate surrogate; providing for decisionmaking if neither the designated surrogate nor the designated alternate surrogate is willing, able, or reasonably available to make health care decisions for the minor on behalf of the minor's principal; authorizing designation of a separate surrogate to consent to mental health treatment for a minor; providing that the health care surrogate authorized to make health care decisions for a minor is also the minor's principal's choice to make decisions regarding mental health treatment for the minor unless provided otherwise; providing that a written designation of a health care surrogate establishes a rebuttable presumption of clear and convincing evidence of the minor's principal's designation of the surrogate; creating s. 765.2038, F.S.; providing a suggested form for the designation of a health care surrogate for a minor; amending s. 765.204, F.S.; specifying that a principal's wishes are controlling while he or she has decisionmaking capacity; providing a duty for providers to communicate to such a principal; conforming provisions to changes made by the act; providing for notification of incapacity of a principal; providing that a health care provider may justifiably rely on decisions made by a surrogate; providing for situations when there are conflicting decisions between surrogate and patient; amending s. 765.205, F.S.; conforming provisions to changes made by the act; amending ss. 765.302, 765.303, 765.304, 765.306, 765.404, and 765.516, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Health Policy; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 893 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Innovation Subcommittee and Representative(s) Ingoglia—

CS for CS for HB 893—A bill to be entitled An act relating to blanket health insurance eligibility; amending s. 627.659, F.S.; revising the list of special groups of individuals covered by a policy or contract for blanket health insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 897 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Ingram—

CS for HB 897—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding certain substances to the Schedule I list of controlled substances; reenacting s. 39.01(30)(a) and (g), F.S., relating to definitions used in chapter 39, F.S., s. 316.193(5), F.S., relating to driving under the influence, s. 322.2616(2)(c), F.S., relating to suspension of driver licenses, s. 327.35(5), F.S., relating to boating under the influence, s. 440.102(11)(b), F.S., relating to drug-free

workplace programs, ss. 458.3265(1)(e) and 459.0137(1)(e), F.S., relating to pain-management clinics, s. 782.04(1)(a) and (4), F.S., relating to murder, s. 893.0356(2)(a) and (5), F.S., relating to controlled substance analogs, s. 893.05(1), F.S., relating to practitioners and persons administering controlled substances in their absence, s. 893.12(2)(b), (c), and (d), F.S., relating to contraband seizure and forfeiture, s. 893.13(1)(a), (c), (d), (e), (f), (h), (2)(a), (4)(b), (5)(b), and (7)(a), F.S., relating to controlled substance offenses, s. 893.135(1)(k) and (l), F.S., relating to offenses involving trafficking in controlled substances, and s.921.0022(3)(b), (c), and (e), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, F.S., to incorporate the amendment made by the act to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 915, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee, Business & Professions Subcommittee and Representative(s) Eagle, Edwards, Van Zant, Williams, A.—

CS for CS for CS for HB 915—A bill to be entitled An act relating to building codes; amending s. 468.609, F.S.; revising the certification examination requirements for building code inspectors, plans examiners, and building code administrators; requiring the Florida Building Code Administrators and Inspectors Board to provide for issuance of certain provisional certificates; amending ss. 468.627, 471.0195, 481.215, and 481.313, F.S.; requiring a licensee or certificateholder to undergo code-related training as part of his or her continuing education courses; amending s. 489.103, F.S.; providing an exemption for certain employees who make minor repairs to existing electric water heaters and to existing electric heating, venting, and air-conditioning systems under specified circumstances; amending s. 489.105, F.S.; revising the definition of the term "plumbing contractor"; amending s. 489.115, F.S.; requiring a certificateholder or registrant to undergo code-related training as part of his or her continuing education requirements; amending s. 489.1401, F.S.; revising legislative intent with respect to the purpose of the Florida Homeowners' Construction Recovery Fund; providing legislative intent that Division II contractors set apart funds to participate in the fund; amending s. 489.1402, F.S.; revising definitions; amending s. 489.141, F.S.; authorizing certain claimants to make a claim against the recovery fund for certain contracts entered into before a specified date; amending s. 489.1425, F.S.; revising a notification provided by contractors to certain residential property owners to state that payment from the recovery fund is limited; amending s. 489.143, F.S.; revising provisions concerning payments from the recovery fund; specifying claim amounts for certain contracts entered into before or after specified dates; providing aggregate caps for payments; amending s. 489.503, F.S.; exempting certain low-voltage landscape lighting from licensed electrical contractor installation requirements; amending s. 489.517, F.S.; requiring a certificateholder or registrant to undergo code-related training as part of his or her continuing education requirements; amending s. 514.011, F.S.; revising the definition of the term "private pool"; amending s. 514.0115, F.S.; prohibiting a portable pool from being regulated as a public pool in certain circumstances; amending s. 514.031, F.S.; providing that a portable pool may not be used as a public pool unless it is exempt under s. 514.0115, F.S.; amending s. 553.512, F.S.; revising the membership of the Accessibility Advisory Council; amending s. 553.721, F.S.; directing the Florida Building Code Compliance and Mitigation Program to fund, from existing resources, the recommendations made by the Building Code System Uniform Implementation Evaluation Workgroup; providing a limitation; requiring that a specified amount of funds from the surcharge be used to fund certain Florida Fire Prevention Code informal interpretations; requiring the State Fire Marshal to adopt specified rules; amending s. 553.73, F.S.; authorizing local boards created to address specified issues to combine the appeals boards to create a single, local board; authorizing the local board to grant alternatives or modifications through specified procedures; requiring at least one member of a board to be a fire protection contractor, a fire protection design pro-

professional, a fire department operations professional, or a fire code enforcement professional in order to meet a specified quorum requirement; authorizing the appeal to a local administrative board of specified decisions made by a local fire official; specifying the decisions of the local building official and the local fire official which are subject to review; prohibiting an agency or local government from requiring that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the Florida Building Code under certain circumstances; prohibiting the Florida Building Code from requiring more than one fire access elevator in certain buildings; prohibiting a 1-hour fire-rated fire service access elevator lobby from being required in certain circumstances; requiring a 1-hour fire-related fire service access elevator lobby in certain circumstances; providing that the requirement for a second fire service access elevator is not considered a part of the Florida Building Code; amending s. 553.775, F.S.; revising membership on a panel that hears requests to review decisions of local building officials; amending s. 553.79, F.S.; authorizing a building official to issue a permit for the construction of the foundation or any other part of a building or structure before the construction documents for the whole building or structure have been submitted; providing that the holder of such permit shall begin building at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted; amending s. 553.841, F.S.; authorizing the Department of Business and Professional Regulation to maintain, update, develop, or cause to be developed code-related training and education; removing provisions related to the development of advanced courses with respect to the Florida Building Code Compliance and Mitigation Program and the accreditation of courses related to the Florida Building Code; amending s. 553.842, F.S.; providing that Underwriters Laboratories, LLC, is an approved evaluation entity; amending s. 553.883, F.S.; exempting certain devices from certain smoke alarm battery requirements; amending s. 553.908, F.S.; restricting certain provisions of the Florida Building Code or law relating to air sealing and insulation from becoming effective; prohibiting certain governmental entities from requiring certain HVAC type tests in specific buildings; amending s. 633.202, F.S.; requiring all new high-rise and existing high-rise buildings to maintain a minimum radio signal strength for fire department communications; providing a transitory period for compliance; requiring existing buildings and existing apartment buildings that are not in compliance to initiate an application for an appropriate permit by a specified date; requiring areas of refuge to be required as determined by the Florida Building Code-Accessibility; amending s. 633.206, F.S.; providing that certain provisions may be applied to existing assisted living facilities notwithstanding the edition of the codes applied at the time of construction; amending s. 633.208, F.S.; authorizing fire officials to consider certain systems as acceptable systems when identifying low-cost alternatives; amending s. 633.336, F.S.; authorizing a licensed fire protection contractor to subcontract for advanced technical services under certain circumstances; repealing s. 120.541(4)(b) and (c), F.S., relating to statements of estimated regulatory costs; repealing the exemption for legislative ratification of certain updates and amendments to the Florida Building Code and the Florida Fire Prevention Code; amending s. 120.80, F.S.; revising the exemption from legislative ratification for certain provisions of the Florida Building Code and the Florida Fire Prevention Code; requiring a statement of estimated regulatory costs to evaluate each new section of certain codes under certain circumstances; creating the Calder Sloan Swimming Pool Electrical-Safety Task Force within the Florida Building Commission; specifying the purpose of the task force; requiring a report to the Governor and the Legislature by a specified date; providing for membership; requiring the Florida Building Commission to provide staff, information, and other assistance to the task force; providing that members of the task force serve without compensation; authorizing the task force to meet as often as necessary; providing for future repeal of the task force; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 917, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Combee, Albritton, Cummings, Drake, Goodson, Mayfield, Raburn, Smith—

CS for CS for HB 917—A bill to be entitled An act relating to the Cattle Market Development Act; amending s. 570.83, F.S.; renaming the Beef Market Development Act as the Cattle Market Development Act; renaming the Florida Beef Council, Inc., as the Florida Cattle Enhancement Board, Inc.; conforming intent and definitions; removing legislative intent for the cattle industry to self-finance a development program; removing a provision that deems a cow and nursing calf sold together as one unit; removing provisions authorizing the Cattle Enhancement Board to hold referenda on per-head-of-cattle assessments and to collect and refund such assessments; removing provisions requiring that the Cattle Enhancement Board develop new uses for beef products and improve methods for distribution of such products; revising membership and providing staggered terms for members of the Cattle Enhancement Board's governing board; requiring the initial and subsequent appointment of governing board members by the Commissioner of Agriculture; removing provisions requiring that the Cattle Enhancement Board maintain frequent communication with officers and industry representatives at the state and national levels; removing provisions authorizing the Cattle Enhancement Board to maintain a financial reserve for emergency use, appoint advisory groups, and examine certain records; directing the Cattle Enhancement Board to adopt bylaws within a specified timeframe; revising the date of the scheduled repeal of the act; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 985 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Rulemaking Oversight & Repeal Subcommittee and Representative(s) Eisnaugle—

CS for HB 985—A bill to be entitled An act relating to the maintenance of agency final orders; amending s. 119.021, F.S.; conforming a provision to changes made by the act; amending s. 120.53, F.S.; requiring agencies to electronically transmit certain agency final orders to a centralized electronic database maintained by the Division of Administrative Hearings; providing the methods by which such final orders can be searched; requiring each agency to maintain a list of final orders that are not required to be electronically transmitted to the database; providing a timeframe for electronically transmitting or listing the final orders; authorizing agencies to maintain subject matter indexes of final orders issued before a specified date or to electronically transmit such orders to the database; providing that the centralized electronic database is the official compilation of administrative final orders issued on or after a specified date for each agency; deleting obsolete provisions regarding filing, indexing, and publishing final orders; amending s. 120.533, F.S.; requiring the Department of State to provide standards and guidelines for the certification and electronic transmittal and the secure transmittal and maintenance of agency final orders; authorizing the department to adopt rules; authorizing the department to provide for an alternative official compiler of agency final orders under certain circumstances; conforming provisions to changes made by the act; amending s. 213.22, F.S.; conforming a cross-reference; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1001 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health & Human Services Committee, Health Care Appropriations Subcommittee and Representative(s) Ahern, Campbell, Peters, Pilon, Rogers—

CS for CS for HB 1001—A bill to be entitled An act relating to assisted living facilities; amending s. 394.4574, F.S.; providing that Medicaid managed care plans are responsible for enrolled mental health residents; providing that managing entities under contract with the Department of Children and Families are responsible for mental health residents who are not enrolled with a Medicaid managed care plan; requiring that a community living support plan be completed and provided to the administrator of a facility within a specified period after the resident's admission; requiring that the community living support plan be updated when there is a significant change to the mental health resident's behavioral health; requiring a mental health resident case manager to keep certain records of interactions with the resident and to make the records available for inspection; requiring retention of the records for a specified period; requiring the responsible entity to ensure monitoring and implementation of community living support plans and cooperative agreements; amending s. 400.0074, F.S.; requiring a local ombudsman council to conduct comprehensive onsite administrative assessments; requiring a local council to conduct an exit consultation with the facility administrator or administrator designee; amending s. 400.0078, F.S.; requiring that a long-term care resident or resident representative be informed of resident immunity from retaliatory action for presenting grievances or exercising resident rights; amending s. 409.212, F.S.; increasing the cap on additional supplementation that a person may receive under certain conditions; amending s. 429.02, F.S.; revising the definition of the term "limited nursing services"; amending s. 429.07, F.S.; requiring that an extended congregate care license be issued to certain facilities licensed as assisted living facilities under certain circumstances and authorizing the issuance of such license if a specified condition is met; providing that the initial extended congregate care license is provisional under certain circumstances; requiring a licensee to notify the agency of acceptance of a resident who qualifies for extended congregate care services; requiring the agency to inspect the facility for compliance with license requirements; requiring the licensee to suspend extended congregate care services under certain circumstances; revising the frequency of monitoring visits to a facility by a registered nurse representing the agency; authorizing the agency to waive a required yearly monitoring visit under certain circumstances; authorizing the agency to deny or revoke a facility's extended congregate care license; authorizing the agency to waive the required yearly monitoring visit for a facility that is licensed to provide limited nursing services under certain circumstances; amending s. 429.075, F.S.; requiring an assisted living facility that serves mental health residents to obtain a limited mental health license; requiring a limited mental health facility to provide written evidence that certain documentation was sent to the department within a specified period; amending s. 429.14, F.S.; requiring the agency to deny or revoke the license of an assisted living facility under certain circumstances; requiring the agency to impose an immediate moratorium on the license of an assisted living facility under certain circumstances; deleting a requirement that the agency provide a list of facilities with denied, suspended, or revoked licenses to the Department of Business and Professional Regulation; exempting a facility from the 45-day notice requirement if it is required to relocate residents; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; requiring the agency to levy a fine for violations that are corrected before an inspection if noncompliance occurred within a specified period of time; amending s. 429.256, F.S.; revising the term "assistance with self-administration of medication" as it relates to the Assisted Living Facilities Act; amending s. 429.27, F.S.; revising the amount of cash for which a facility may provide safekeeping for a resident; amending s. 429.28, F.S.; providing notice requirements regarding confidentiality of resident identity in a complaint made to the State Long-Term Care Ombudsman Program or a local long-term care ombudsman council and immunity from retaliatory action for presenting grievances or exercising resident rights; providing a fine if a facility terminates an individual's residency after the filing of a complaint if good cause is not shown for the termination; requiring the agency to adopt rules; amending s. 429.34, F.S.; requiring certain persons to report elder abuse in assisted living facilities; requiring the agency to regularly inspect a licensed assisted living facility; requiring the agency to conduct periodic inspections; amending s. 429.41, F.S.; providing that certain staffing requirements apply only to residents in continuing care facilities who are receiving certain services; amending s. 429.52, F.S.; requiring each newly hired employee of an assisted living facility to attend a

preservice orientation; requiring the employee and administrator to sign a statement of completion and keep the statement in the employee's personnel record; requiring additional hours of training for assistance with medication; creating s. 429.55, F.S.; directing the agency to create an assisted living facility consumer information website; providing criteria for webpage content; providing content requirements; authorizing the agency to adopt rules; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1025 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Raburn, Combee, Beshears, Raulerson, Van Zant—

CS for CS for HB 1025—A bill to be entitled An act relating to firesafety; amending s. 633.202, F.S.; defining terms; exempting non-residential farm buildings and agricultural pole barns, rather than specified structures located on agricultural property, from the Florida Fire Prevention Code under specified circumstances; requiring the State Fire Marshal to conduct a study addressing certain secondary uses of nonresidential farm buildings; requiring the State Fire Marshal to convene a workgroup by a specified date to assist with the study; requiring the State Fire Marshal to initiate rulemaking by a specified date if the study determines that certain life safety or fire prevention standards are required; amending s. 633.208, F.S.; authorizing a local fire official to consider a specified publication when identifying an alternative to a firesafety code; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1043 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Economic Development & Tourism Subcommittee and Representative(s) Eagle—

CS for HB 1043—A bill to be entitled An act relating to housing authorities; creating s. 421.281, F.S.; providing for the creation of consolidated housing authorities under certain conditions; providing requirements; providing the area of operation of a consolidated housing authority; providing duties of a governing body of a county or municipality included in the area of operation; providing public hearing requirements; providing for the appointment of commissioners; providing powers and duties of a consolidated housing authority and its commissioners; amending s. 421.32, F.S.; authorizing a consolidated housing authority to borrow money, accept grants, and exercise its other powers for certain purposes; amending s. 421.321, F.S.; authorizing a consolidated housing authority to execute mortgages encumbering real property for certain purposes; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1053, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Fant—

CS for CS for HB 1053—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.311, F.S.; authorizing a joint underwriting plan and the Florida Automobile Joint Underwriting Association to cancel certain insurance policies within a specified period under certain circumstances; prohibiting an insured from canceling certain insurance policies within a specified period; providing exceptions; amending s. 627.736, F.S.; revising the period during which the applicable fee schedule or payment limitation under Medicare applies with respect to certain personal injury protection insurance coverage; defining "service year"; deleting an obsolete date; amending s. 627.744, F.S.; revising the exemption from the preinsurance inspection requirements for private passenger motor vehicles to include certain leased vehicles; revising the list of documents that an insurer may require for purposes of the exemption; prohibiting the physical damage coverage on a motor vehicle from being suspended during the term of a policy due to the insurer's option not to require certain documents; authorizing a payment of a claim to be conditioned if the insurer requires a document under certain circumstances; providing an effective date.

—was referred to the Committees on Banking and Insurance; Transportation; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1069 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Perry, Harrell, Watson, C.—

CS for CS for HB 1069—A bill to be entitled An act relating to defendants in specialized courts; amending s. 910.035, F.S.; providing a definition; requiring a trial court to transfer certain criminal cases involving participants in specified programs to another jurisdiction having such a program under certain conditions; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1127, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Appropriations Committee, Insurance & Banking Subcommittee and Representative(s) Sullivan—

CS for CS for HB 1127—A bill to be entitled An act relating to insurance fraud; repealing s. 400.993, F.S., relating to criminal penalties applicable to unlicensed health care clinics and the reporting of unlicensed health care clinics; amending s. 400.9935, F.S.; revising provisions related to unlawful, noncompensable, and unenforceable health care clinic charges or reimbursement claims; revising and providing criminal penalties for making unlawful charges, operating or failing to report an unlicensed clinic, filing false or misleading information related to a clinic license application, and other violations; defining the term "convicted"; amending s. 626.9894, F.S.; conforming provisions to changes made by the act; repealing s. 626.9895, F.S., relating to the establishment of a motor vehicle insurance fraud direct-support organization; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1133, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Fant—

CS for CS for HB 1133—A bill to be entitled An act relating to the Division of Insurance Agent and Agency Services; amending s. 626.015, F.S.; revising the definition of "general lines agent," to remove certain restrictions regarding health insurance; amending s. 626.0428, F.S.; revising licensure requirements of certain agents in charge of an agency's place of business; amending s. 626.221, F.S.; revising examination requirements for applicants for a license as a general lines agent, personal lines agent, or all-lines adjuster; creating examination requirements and qualifications for exemption from examinations for personal lines agents, life agents, and health agents; revising examination requirements for applicants qualifying for license transfer and applicants that hold a comparable license in another state; amending s. 626.241, F.S.; revising the scope of license examinations for agents and adjusters; amending s. 626.2817, F.S.; revising requirements of certain pre-licensure education courses for insurance agents and other licensees; amending s. 626.311, F.S.; conforming provisions to changes made by the act; amending s. 626.732, F.S.; revising requirements relating to knowledge, experience, and instruction for applicants for a license as a general lines or personal lines agent; amending s. 626.7351, F.S.; revising qualifications for a customer representative's license; amending s. 626.7354, F.S.; deleting a prohibition on a customer representative's compensation including commissions but prohibiting the compensation from being based primarily on commissions; amending s. 626.748, F.S.; requiring agents to maintain certain records for a specified time period after policy expiration; amending s. 626.753, F.S.; authorizing certain agents and customer representatives to share commissions; amending ss. 626.7851 and 626.8311, F.S.; revising requirements relating to the knowledge, experience, or instruction for life agents and health agents, respectively; amending s. 626.9541, F.S.; providing that certain provisions relating to illegal dealings in premiums are applicable notwithstanding any other provision of law; amending s. 627.4553, F.S.; requiring an insurance agent to provide and retain certain information upon surrender of an annuity or life insurance policy under certain circumstances; defining the term "surrender"; amending s. 631.341, F.S.; authorizing certain notices of insolvency to be delivered to policyholders by certain methods; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 1141, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee, Business & Professions Subcommittee and Representative(s) Ray, Ariles, Van Zant—

CS for CS for CS for HB 1141—A bill to be entitled An act relating to a natural gas rebate program; amending s. 377.810, F.S.; authorizing the Department of Agriculture and Consumer Services to receive additional applications from certain applicants; authorizing any remaining unencumbered funds to be used by the department to award additional rebates; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1151 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Business & Professions Subcommittee and Representative(s) Ingoglia—

CS for HB 1151—A bill to be entitled An act relating to residential master building permit programs; creating s. 553.794, F.S.; requiring local governments to create master building permit programs in certain circumstances to assist builders who expect to construct specific dwellings and townhomes on a repetitive basis; defining terms; providing requirements for submitting master building permit applications, general construction plans, and site-specific building permit applications; specifying documents that must be provided with the applications and plans; requiring master building permit applications to be approved or denied within a time certain; authorizing builders to submit master building permit numbers an unlimited number of times for specific dwellings and townhomes under certain conditions; providing duration of validity of approved master building permits; limiting revisions to approved master building permits; requiring the governing body of the applicable local government to provide a schedule of reasonable fees; providing for penalties under certain circumstances; authorizing local governments to adopt procedures to effectuate master building permit programs; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1193 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee, Children, Families & Seniors Subcommittee and Representative(s) Ingoglia, Plasencia, Ahern, Broxson, Campbell, Harrison, Hill, Miller, Murphy, Nuñez, Peters, Raschein—

CS for CS for HB 1193—A bill to be entitled An act relating to services for combat veterans and their families; creating s. 394.9087, F.S.; defining the term "combat veteran"; requiring that the Department of Children and Families establish the Florida Combat Veterans' Care Coordination Program to provide combat veterans and their families with behavioral health care referral and care coordination services; requiring that the department contract with managing entities to enter into agreements with Florida 211 Network participants for such services; providing program goals; providing for the delivery of services by program teams; requiring Florida 211 Network participants to collect data on the implementation of the program and submit such data to the department; requiring the department to submit a report on such implementation to the Governor and Legislature; providing an appropriation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Military and Veterans Affairs, Space, and Domestic Security; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 1305 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Eagle, Berman, Combee, Peters—

HB 1305—A bill to be entitled An act relating to home medical equipment providers; amending s. 400.93, F.S.; exempting allopathic, osteopathic, and chiropractic physicians who sell or rent electro-stimulation medical equipment from licensure requirements under certain circumstances; providing an effective date.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 4043 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Representative(s) Geller, Murphy, Stark—

HB 4043—A bill to be entitled An act relating to write-in candidates; repealing s. 99.0615, F.S., relating to a requirement that a write-in candidate reside within the district of the office sought at the time of qualification; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Rules.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7021, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Sullivan, Trumbull, Artilles—

CS for HB 7021—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending ss. 327.37, 327.39, and 327.50, F.S.; requiring that personal floatation devices be used in accordance with the United States Coast Guard approval label during operation of certain vessels or personal watercraft or while engaged in water skiing, parasailing, aquaplaning, and similar activities; reenacting s. 327.50(1)(a), F.S., relating to vessel safety equipment, to incorporate changes to federal regulations; amending s. 379.223, F.S.; authorizing citizen support organizations to receive funds from the commission if the organization provides services by contract under certain circumstances; amending s. 379.3012, F.S.; conforming provisions relating to implementation of the alligator management and trapping program to changes made by the act; amending s. 379.357, F.S.; revising the time period for which tarpon tags are valid; removing provisions requiring tax collectors to submit unissued tarpon tags and audit reports to the commission; removing provisions requiring individuals to submit information regarding landed tarpon to the commission; amending s. 379.361, F.S.; removing criteria for issuance of restricted species endorsements on saltwater products licenses; amending s. 379.364, F.S.; removing provisions requiring dealers and buyers of certain hides and furs to submit reports to the commission; removing provisions prohibiting the shipment of hides or furs without specified information; amending s. 379.3751, F.S.; removing provisions authorizing the commission to limit the number of participants engaged in the taking of alligators or their eggs; exempting certain persons from alligator trapping license requirements and fees; providing that certain permit holders engaged in the taking of alligators are not required to possess management area permits; amending s. 379.3752, F.S.; removing provisions requiring alligator hide validation tags to be affixed to the hide of any alligator taken from the wild; revising provisions requiring the commission to transfer certain revenues for alligator husbandry research; requiring the commission to transfer funds, contingent upon certain appropriations, from the alligator management program to the General Inspection Trust Fund for the purpose of providing marketing and education services regarding alligator products produced in this state; removing provisions authorizing the commission to limit the number of tags available for alligators taken pursuant to a collection permit;

amending s. 379.401, F.S.; conforming provisions to changes made by the act; creating s. 379.412, F.S.; providing penalties for the feeding of wildlife and freshwater fish; providing applicability; defining the term "violation"; repealing s. 379.3011, F.S., relating to the alligator trapping program; repealing s. 379.3013, F.S., relating to alligator study requirements; repealing s. 379.3016, F.S., relating to the unlawful sale of alligator products; repealing s. 379.3017, F.S., relating to products derived or made from the skins of other crocodilia; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7023, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Rulemaking Oversight & Repeal Subcommittee and Representative(s) Ray—

HB 7023—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; revising the deadline to propose rules implementing new laws; amending s. 120.74, F.S.; revising requirements for the annual review of agency rules; providing procedures for preparing and publishing regulatory plans; specifying requirements for such plans; requiring publication by specified dates of notices of rule development and of proposed rules necessary to implement new laws; prescribing procedures in the event of noncompliance by an agency; providing for applicability; repealing s. 120.7455, F.S., relating to the legislative survey of regulatory impacts; rescinding the suspension of rulemaking authority made under s. 120.745, F.S.; providing effective dates.

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

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7109 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Regulatory Affairs Committee, Energy & Utilities Subcommittee and Representative(s) La Rosa, Peters, Diaz, J., Latvala—

CS for HB 7109—A bill to be entitled An act relating to the Florida Public Service Commission; amending s. 350.01, F.S.; providing term limits for commissioners appointed after a specified date; requiring that specified meetings, workshops, hearings, or proceedings of the commission be streamed live and recorded copies be made available on the commission's website; amending s. 350.031, F.S.; requiring a person who lobbies a member of the Florida Public Service Commission Nominating Council to register as a lobbyist; requiring implementation by joint rule; amending s. 350.041, F.S.; requiring public service commissioners to annually complete ethics training; amending s. 350.042, F.S.; revising the prohibition against ex parte communications to include any matter that a commissioner knows or reasonably expects will be filed within a certain timeframe; providing legislative intent; defining terms; applying the prohibition against ex parte communications to specified meetings; specifying conditions under which the Governor must remove from office any commissioner found to have willfully and knowingly violated the ex parte communications law; amending s. 366.05, F.S.; limiting the use of tiered rates in conjunction with extended billing periods; limiting deposit amounts; requiring a utility to notify each customer if it has more than one rate for any customer class; requiring the utility to provide good faith assistance to the customer in determining the best rate; assigning responsibility to the customer for the rate selection; requiring the commission to approve new tariffs and certain changes to existing tariffs; amending s. 366.82, F.S.; requiring that money received by a utility for the development of demand-side renewable energy systems be used solely for that purpose; creating s. 366.95, F.S.; defining terms; authorizing

electric utilities to petition the commission for certain financing orders that authorize the issuance of nuclear asset-recovery bonds, authorize the imposition, collection, and periodic adjustments of nuclear asset-recovery charges, and authorize the creation of nuclear asset-recovery property; providing requirements; providing exceptions to the commission's jurisdiction for certain aspects of financing orders; specifying duties of electric utilities that have obtained a financing order and issued nuclear asset-recovery bonds; specifying properties, requirements, and limitations relating to nuclear asset-recovery property; providing requirements as to the sufficiency of the description of certain nuclear asset-recovery property; subjecting financing statements to the Uniform Commercial Code; providing an exception; specifying that nuclear asset-recovery bonds are not public debt; specifying certain state pledges relating to bondholders; declaring that certain entities are not electric utilities under certain circumstances; specifying effect of certain provisions in situations of conflict; providing for protecting validity of certain bonds under certain circumstances; providing penalties; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Appropriations.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7123 and requests the concurrence of the Senate.

Bob Ward, Clerk

By State Affairs Committee, Highway & Waterway Safety Subcommittee and Representative(s) Raschein—

CS for HB 7123—A bill to be entitled An act relating to at-risk vessels; creating s. 327.4107, F.S.; prohibiting a vessel that is at risk of becoming derelict from anchoring on, mooring on, or occupying the waters of this state; authorizing an officer of the Fish and Wildlife Conservation Commission or of specified law enforcement agencies to determine that a vessel is at risk of becoming derelict if certain conditions exist; providing that a person who anchors or moors or allows such a vessel to occupy waters of this state commits a noncriminal violation; providing penalties; providing applicability; amending s. 327.70, F.S.; providing for enforcement of such violations by citation mailed to the owner of the vessel; amending s. 327.73, F.S.; providing civil penalties for such violations; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7137, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Education Committee and Representative(s) Diaz, M.—

HB 7137—A bill to be entitled An act relating to extracurricular activities; amending s. 1006.20, F.S.; providing for periodic review of the Florida High School Athletic Association's performance of its duties; providing requirements regarding fees and admission prices; revising provisions regarding eligibility, transfer, and recruiting; providing procedures for resolving student eligibility disputes; requiring the Florida High School Athletic Association (FHSAA) to adopt guidelines, provide resources, and develop training courses relating to sports ethics; providing that member schools must meet certain requirements relating to the sports ethics guidelines, resources, and training courses provided by the FHSAA; revising the governing structure of the FHSAA; deleting provisions relating to the FHSAA's board of directors, representative assembly, public liaison advisory committee, and appeals committees; deleting requirements with respect to amendments to the FHSAA's by-laws; amending s. 1006.15, F.S.; establishing guiding principles for extracurricular activities; providing definitions; revising academic eligibility requirements; specifying grounds for student ineligibility for participation in interscholastic athletics; specifying conditions under which students who are enrolled in public schools, certain private schools, or home education programs may participate in the extra-

curricular activities of a public school; deleting obsolete provisions; amending s. 1006.16, F.S.; revising insurance requirements to include students who participate in nonathletic extracurricular activities; requiring that insurance coverage provided by district school boards for participants in extracurricular activities include certain students; amending s. 1006.19, F.S.; providing a period within which an audit of a nonprofit association's records must be provided to the Auditor General; requiring the Auditor General to conduct operational audits of the nonprofit association's accounts and records; amending s. 1002.20, F.S.; conforming cross-references; revising provisions related to participation in extracurricular activities; amending s. 1002.33, conforming cross-references; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Appropriations Subcommittee on Education; and Appropriations.

RETURNING MESSAGES — FINAL ACTION

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 132.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 144 by the required constitutional two-thirds vote of the members voting.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 158.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 160.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 184.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 222.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 264.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 332.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 408.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 450.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 466.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 522.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 570.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 620.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 676.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 694.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7008.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7010.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7012.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7016.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed SB 7024.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 7034.

Bob Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 14 and April 21 were corrected and approved.

CO-INTRODUCERS

Senators Dean—CS for SB 746; Soto—CS for CS for CS for SB 248, CS for CS for SB 538, CS for CS for SB 674

ADJOURNMENT

On motion by Senator Simmons, the Senate adjourned at 3:33 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:30 a.m., Thursday, April 23 or upon call of the President.