



Journal of the Senate

Number 3—Regular Session

Thursday, March 9, 2017

CONTENTS

Bills on Third Reading 172
 Call to Order 172
 Co-Introducers 178
 Committee Substitutes, First Reading 175
 Enrolling Reports 177
 Executive Business, Appointments 175
 Executive Business, Suspension Reports 174
 Motions 173
 Reference Changes, Rule 4.7(2) 177
 Reports of Committees 173, 174
 Special Order Calendar 173

CALL TO ORDER

The Senate was called to order by President Negron at 1:00 p.m. A quorum present—36:

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Bracy	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hutson	Stargel
Braynon	Latvala	Steube
Broxson	Mayfield	Stewart
Campbell	Montford	Thurston
Clemens	Passidomo	Torres
Farmer	Perry	Young

Excused: Senators Artiles, Book, and Hukill

PRAYER

The following prayer was offered by Pastor A.D. Lenoir, Sr., Westview Baptist Church, Westview:

Father, we thank you now for this time and we thank you for this session. We thank you, Father, because if it had not been for you, we couldn't be here today. You woke us up this morning and you started us on our way. You've been merciful unto us. We thank you, Father, if we've committed any sins, please forgive us for those, whether they be sins of commission or omission. Restore us back to a rightful fellowship today.

We thank you for this Senate. We thank you for the leaders. More importantly, we thank you for our Senator of District 38. Father, we ask now as this session begins, that our minds will come together and we will be connected by the responsibilities that we hold through our constituents. Then, Father, we even ask that all of those that are connected behind the scenes—the staff, the workers, and the volunteers—that you will empower them and give them strength. Father, we will never forget that it is because of you that we are here. So help us to do what is right and respond righteously to our Christian responsibilities. Give us strength to do what we must do to advance your kingdom.

In Jesus' name, we pray. And the people of God said, "Amen."

PLEDGE

Senate Pages, James Tanner of Tampa; Liam Fineout of Tallahassee; Tiffany McClelland of Titusville; and Peyton Moxam of Winter Haven, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Mannpreet Phambri-Komal of Orange Park, sponsored by Senator Bradley, as the doctor of the day. Dr. Phambri-Komal specializes in family medicine.

BILLS ON THIRD READING

CS for CS for SB 2—A bill to be entitled An act relating to higher education; providing a short title; amending s. 1001.66, F.S.; revising requirements for the performance-based metrics used to award Florida College System institutions with performance-based incentives; amending s. 1001.67, F.S.; revising the Distinguished Florida College System Institution Program excellence standards requirements; amending s. 1001.706, F.S.; requiring state universities to use gap analyses to identify internship opportunities in high-demand fields; amending s. 1001.7065, F.S.; revising the preeminent state research universities program graduation rate requirements and funding distributions; deleting the authority for such universities to stipulate a special course requirement for incoming students; requiring the Board of Governors to establish certain standards by a specified date; amending s. 1001.92, F.S.; requiring certain performance-based metrics to include specified graduation rates and access benchmarks; creating s. 1004.6497, F.S.; establishing the World Class Faculty and Scholar Program; providing the purpose and intent of the program; authorizing investments in certain faculty retention, recruitment, and recognition activities; specifying funding as provided in the General Appropriations Act; requiring the funds to be used only for authorized purposes and investments; requiring the Board of Governors to submit an annual report to the Governor and the Legislature by a specified date; creating s. 1004.6498, F.S.; establishing the State University Professional and Graduate Degree Excellence Program; providing the purpose of the program; listing the quality improvement efforts that may be used to elevate the prominence of state university medicine, law, and graduate-level business programs; specifying funding as provided in the General Appropriations Act; requiring the funds to be used only for authorized purposes and investments; requiring the Board of Governors to submit an annual report to the Governor and the Legislature by a specified date; amending s. 1007.23, F.S.; requiring each Florida Community College System institution to execute at least one "2+2" Targeted Pathway articulation agreement by a specified time; providing requirements and student eligibility for the agreements; requiring the State Board of Community Colleges and the Board of Governors to collaborate to eliminate barriers for the agreements; amending s. 1007.27, F.S.; requiring school districts to notify students about certain lists and equivalencies; amending s. 1008.30, F.S.; providing that certain state universities may continue to provide developmental education instruction; amending ss. 1009.22 and 1009.23, F.S.; revising the prohibition on the inclusion of a technology fee in the Florida Bright Futures Scholarship Program award; amending s. 1009.24, F.S.; revising the prohibition on the inclusion of a technology fee in the Florida Bright Futures Scholarship Program award; requiring each state university board of trustees to implement a block tuition policy for specified undergraduate students or undergraduate-level courses by a specified time; requiring the Chancellor of the State University System to submit a report to the Governor and the Legislature by a specified date; revising the conditions for differential tuition; amending s. 1009.53, F.S.;

authorizing a student to use funds appropriated in the General Appropriations Act for summer term enrollment for Florida Academic Scholars awards; amending s. 1009.534, F.S.; specifying Florida Academic Scholars award amounts to cover tuition, fees, textbooks, and other college-related expenses; amending s. 1009.701, F.S.; revising the state-to-private match requirement for contributions to the First Generation Matching Grant Program; amending s. 1009.89, F.S.; renaming the Florida Resident Access Grant Program; amending s. 1009.893, F.S.; extending coverage of Benacquisto Scholarships to include tuition and fees for qualified nonresident students; creating s. 1009.894, F.S.; creating the Florida Farmworker Student Scholarship Program; providing a purpose; requiring the Department of Education to administer the scholarship program; providing initial and renewal scholarship student eligibility criteria; specifying award amounts and distributions; requiring the department to issue the awards annually; requiring institutions to certify certain information and remit any remaining funds to the department by a specified timeframe; requiring the department to maintain program data; providing for funding as specified in the General Appropriations Act; amending s. 1009.98, F.S.; providing that certain payments from the Florida Prepaid College Board to a state university on behalf of a qualified beneficiary may not exceed a specified amount; amending s. 1013.79, F.S.; revising the intent of the Alec P. Courtelis University Facility Enhancement Challenge Grant Program; deleting the Alec P. Courtelis Capital Facilities Matching Trust Fund; authorizing the Legislature to prioritize certain funds for the 2017-2018 fiscal year; amending s. 267.062, F.S.; conforming a cross-reference; providing a directive to the Division of Law Revision and Information; providing an effective date.

—as amended March 8, was read the third time by title.

On motion by Senator Galvano, **CS for CS for SB 2**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—35

Baxley	Galvano	Rader
Bean	Garcia	Rodriguez
Benacquisto	Gibson	Rouson
Bracy	Grimsley	Simmons
Bradley	Hutson	Simpson
Brandes	Latvala	Stargel
Braynon	Lee	Steube
Broxson	Mayfield	Stewart
Campbell	Montford	Thurston
Farmer	Passidomo	Torres
Flores	Perry	Young
Gainer	Powell	

Nays—1

Clemens

Vote after roll call:

Yea—Mr. President

Vote preference:

March 15, 2017: Yea—Artilles

SPECIAL ORDER CALENDAR

SB 280—A bill to be entitled An act relating to sentencing for capital felonies; amending ss. 921.141 and 921.142, F.S.; requiring jury unanimity rather than a certain number of jurors for a sentencing recommendation of death; reenacting ss. 775.082(1)(a), 782.04(1)(b), and 794.011(2)(a), F.S., relating to the punishment for a conviction of a capital felony, procedures for determining a sentence of death or life imprisonment, and sexual battery, respectively, to incorporate the amendment made to s. 921.141, F.S., in references thereto; reenacting s. 893.135(1)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l), F.S., relating to the punishments for capital drug trafficking felonies, to incorporate the amendment made to s. 921.142, F.S., in references thereto; providing an effective date.

—was read the second time by title. On motion by Senator Bracy, by two-thirds vote, **SB 280** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gainer	Rader
Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hutson	Stargel
Brandes	Latvala	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Thurston
Campbell	Montford	Torres
Clemens	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

Vote preference:

March 15, 2017: Yea—Artilles

On motion by Senator Bradley—

CS for SB 128—A bill to be entitled An act relating to self-defense immunity; amending s. 776.032, F.S.; providing that the state has the burden of proving that a defendant is not immune from prosecution under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Thurston moved the following amendments which failed:

Amendment 1 (469290)—Delete line 36 and insert:
proves by a preponderance of the evidence that the defendant is not

Amendment 2 (145872)—Delete line 36 and insert:
proves by clear and convincing evidence that the defendant is not

Senator Simmons moved the following amendment which was adopted:

Amendment 3 (310738)—Delete lines 37-38 and insert:
immune.

Pursuant to Rule 4.19, **CS for SB 128**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Benacquisto, by two-thirds vote, **SB 280** was ordered immediately certified to the House.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, March 9, 2017: SB 280 and CS for SB 128.

Respectfully submitted,
Lizbeth Benacquisto, Rules Chair
Wilton Simpson, Majority Leader
Oscar Braynon II, Minority Leader

The Committee on Judiciary recommends the following pass: SB 898

The bill was referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Regulated Industries recommends the following pass: SB 662

The bill was referred to the Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Judiciary recommends the following pass: SB 616

The bill was referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Regulated Industries recommends the following pass: SB 802

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

The Committee on Rules recommends the following pass: CS for SB 352; SB 7004

The bills were placed on the Calendar.

The Committee on Judiciary recommends a committee substitute for the following: SB 494

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 736

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

The Committee on Education recommends a committee substitute for the following: SB 392

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Pre-K - 12 Education under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 532

The bill with committee substitute attached was referred to the Appropriations Subcommittee on the Environment and Natural Resources under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 596

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 550

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 788

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

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on General Government recommends the following pass: CS for SB 220

The Appropriations Subcommittee on Health and Human Services recommends the following pass: SB 7006; SB 7008

The Appropriations Subcommittee on Higher Education recommends the following pass: SB 256

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

The Appropriations Subcommittee on the Environment and Natural Resources recommends a committee substitute for the following: CS for SB 234

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

SUSPENSION REPORTS

EXECUTIVE ORDER NUMBER 16-129
(Executive Order of Suspension)

WHEREAS, Chris Blair is presently serving as Sheriff of Marion County, Florida; and

WHEREAS, on May 20, 2016, Chris Blair was arrested and charged by Indictment with two counts of Perjury in an Official Proceeding, a third-degree felony in violation of section 837.02, Florida Statutes, and one count of Official Misconduct, a third-degree felony in violation of section 838.022(1), Florida Statutes; and

WHEREAS, Article IV, Section 7 of the Florida Constitution authorizes the Governor to suspend from office any county officer for the commission of a felony; and

WHEREAS, it is in the best interests of the residents of Marion County, and the citizens of the State of Florida, that Chris Blair be immediately suspended from the public office, which he now holds, upon the grounds set forth in this executive order.

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7 of the Florida Constitution, find as follows:

A. Chris Blair is, and at all times material hereto was, serving as Sheriff of Marion County, Florida.

B. The office of Sheriff of Marion County is within the purview of the suspension power of the Governor, pursuant to Article IV, Section 7 of the Florida Constitution.

C. The attached Indictment, which is incorporated as if fully set forth herein, alleges Chris Blair committed felony offenses in violation of the Laws of the State of Florida.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the Laws of the State of Florida, this Executive Order is issued, effective immediately:

Section 1. Chris Blair is suspended from the public office, which he now holds, to wit: Sheriff of Marion County, Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at The Capitol, Tallahassee, Florida, this 20th day of May, 2016.

Rick Scott
GOVERNOR

ATTEST:
Ken Detzner
SECRETARY OF STATE

[Previously referred to the Committee on Ethics and Elections on March 7, 2017.]

The Honorable Joe Negron
President of the Senate
409, The Capitol
Tallahassee, Florida 32399-1100

March 9, 2017

Re: Suspension of:
BLAIR, Chris
Sheriff of Marion County, Florida

Dear President Negron:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Chris Blair.

By Executive Order Number 16-129 filed with the Secretary of State on May 23, 2016, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Rick Scott, Governor, suspended Chris Blair as Sheriff of Marion County, Florida, alleging that he committed two counts of Perjury in an Official Proceeding in violation of s. 837.02, Florida Statutes, and one count of Official Misconduct in violation of s. 838.022(1), F.S. Mr. Blair entered into a deferred prosecution agreement wherein he agreed to resign from office and to not run for Sheriff in the Fifth Judicial Circuit again. On July 29, 2016, Mr. Blair resigned. Therefore, this matter is moot.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2017 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,

Kathleen Passidomo
Chair

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Building Code Administrators and Inspectors Board	
Appointee: Lopresto, Anthony H., Confidential pursuant to s. 119.071(4), F.S.	10/31/2019
Board of Trustees of Palm Beach State College	
Appointee: Miedema, Barbara J., Wellington	05/31/2019
Board of Cosmetology	
Appointee: Poppell, Frances C., Tallahassee	10/31/2019
Education Practices Commission	
Appointee: Johnson, Jeffrey L., Sr., Port St. Lucie	09/30/2020

Referred to the Committee on Ethics and Elections.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida State University	
Appointee: Duda, Emily F., Oviedo	01/06/2021

Referred to the Committees on Education; and Ethics and Elections.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Education; and Senators Hukill, Garcia, and Simpson—

CS for SB 392—A bill to be entitled An act relating to high school graduation requirements; amending s. 1003.41, F.S.; revising the requirements for the Next Generation Sunshine State Standards to include financial literacy; amending s. 1003.4282, F.S.; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives; providing an effective date.

By the Committee on Judiciary; and Senator Bradley—

CS for SB 494—A bill to be entitled An act relating to compensation of victims of wrongful incarceration; reordering and amending s. 961.02, F.S.; making technical changes; defining the term “violent felony”; amending s. 961.04, F.S.; revising the circumstances under which a wrongfully incarcerated person is not eligible for compensation under the Victims of Wrongful Incarceration Compensation Act; amending s. 961.06, F.S.; providing that a wrongfully incarcerated person who commits a violent felony, rather than a felony law violation, which results in revocation of parole or community supervision is ineligible for compensation; reenacting s. 961.03(1)(a), (2), (3), and (4), F.S., relating to determination of status as a wrongfully incarcerated person and of eligibility for compensation, to incorporate the amendment made to s. 961.04, F.S., in references thereto; reenacting ss. 961.05(6), 961.055(1), and 961.056(4), F.S., relating to determination of entitlement to compensation, application for compensation for a wrongfully incarcerated person, and an alternative application for compensation for a wrongfully incarcerated person, respectively, to incorporate the amendment made to s. 961.06, F.S., in references thereto; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Galvano, Stewart, Benacquisto, Rouson, Book, and Young—

CS for SB 532—A bill to be entitled An act relating to public notification of pollution; creating s. 403.076, F.S.; providing a short title; creating s. 403.077, F.S.; providing goals and legislative findings; specifying authority of the Department of Environmental Protection; specifying that the act does not alter or affect the emergency management responsibilities of certain other governmental entities; creating s. 403.078, F.S.; defining the term “reportable pollution release”; requiring an owner or operator of an installation at which a reportable pollution release occurred to provide certain information to the department within 24 hours after the discovery of a reportable pollution release; authorizing the owner or operator to amend such notice; specifying compliance and enforcement requirements; requiring owners or operators to provide notice when a reportable pollution release migrates outside the property boundaries of the installation; requiring the department to publish such information in a specified manner; requiring the department to establish an electronic mailing list; requiring the department to provide a reporting form and e-mail address for such notice; specifying that providing a notice does not constitute an admission of liability or harm; specifying penalties for violations; requiring the department to adopt rules; amending s. 403.121, F.S.; specifying penalties for failure to provide required notice; providing an effective date.

By the Committees on Judiciary; and Criminal Justice; and Senator Bracy—

CS for CS for SB 550—A bill to be entitled An act relating to public records; amending s. 119.011, F.S.; providing that the personal identifying information of a witness to a murder remains confidential and

exempt for a specified period; amending s. 119.071, F.S.; providing an exemption from public records requirements for criminal intelligence or criminal investigative information that reveals the personal identifying information of a witness to a murder for a specified period; authorizing specified entities and parties to receive the information; providing for future legislative review and repeal of the exemption; amending s. 119.0714, F.S.; providing that the public records exemption applies to personal identifying information of a witness to a murder that is made part of a court file; providing a statement of public necessity; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senators Hutson and Young—

CS for SB 596—A bill to be entitled An act relating to utilities; amending s. 337.401, F.S.; providing a short title; defining terms; prohibiting the Department of Transportation and certain local governmental entities, collectively referred to as the “authority,” from prohibiting, regulating, or charging for the collocation of small wireless facilities in public rights-of-way under certain circumstances; authorizing an authority to require permit fees only under certain circumstances; requiring an authority to receive and process applications for permits, and to issue such permits, subject to specified requirements; providing that height limitations do not apply to the placement of small wireless facilities on or before a specified date under certain circumstances; prohibiting an authority from requiring approval or charges for routine maintenance, the replacement of certain wireless facilities, or the installation, placement, maintenance, or replacement of certain micro wireless facilities; requiring an authority to approve the collocation of small wireless facilities on authority utility poles, subject to certain requirements; providing requirements for rates, fees, and other terms related to authority utility poles; prohibiting an authority from adopting or enforcing any regulation on the placement or operation of certain communications facilities and from regulating any communications services or imposing or collecting any tax, fee, or charge not specifically authorized under state law; providing construction; providing an effective date.

By the Committee on Banking and Insurance; and Senators Mayfield and Steube—

CS for SB 736—A bill to be entitled An act relating to international financial institutions; amending s. 655.005, F.S.; redefining the term “financial institution” to include international trust entities and limited service affiliates; amending s. 655.059, F.S.; specifying conditions under which confidential books and records of international trust entities may be disclosed to their home-country supervisors; revising conditions for such disclosure for international banking corporations; redefining the term “home-country supervisor”; requiring books and records pertaining to trust accounts to be kept confidential by financial institutions and their directors, officers, and employees; providing an exception; providing construction; creating s. 663.001, F.S.; providing legislative intent; amending s. 663.01, F.S.; redefining terms; deleting the definition of the term “international trust company representative office”; amending s. 663.02, F.S.; revising applicability of the financial institutions codes as to international banking corporations; amending s. 663.021, F.S.; conforming a provision to changes made by the act; amending s. 663.04, F.S.; deleting international trust companies from requirements for carrying on financial institution business; conforming a provision to changes made by the act; authorizing the Office of Financial Regulation to permit certain entities that would otherwise be prohibited from carrying on financial institution business to remain open and in operation under certain circumstances; amending s. 663.05, F.S.; providing for an abbreviated application procedure for certain entities established by an international banking corporation; specifying that the Financial Services Commission, rather than the office, prescribes a certain application form; requiring the commission to adopt rules for a time limitation for an application decision after a specified date; revising conditions for the office to issue an international banking corporation license; conforming a provision to changes made by the act; amending s. 663.055, F.S.; revising capital requirements for international banking corporations; amending s. 663.06, F.S.; making technical changes; conforming a provision to changes made by the act; creating s. 663.0601, F.S.; providing an after-the-fact licensure process in the event of the acquisition, merger, or consolidation of international banking

corporations; specifying conditions for such license; amending s. 663.061, F.S.; providing additional permissible activities for international bank agencies; amending s. 663.062, F.S.; providing additional permissible activities for certain international representative offices; amending s. 663.063, F.S.; providing additional permissible activities for international administrative offices; amending s. 663.064, F.S.; requiring the commission to adopt rules relating to permissible deposits of international branches; providing additional permissible activities for international branches; amending s. 663.09, F.S.; revising requirements for the maintenance of books and records of international banking corporations; authorizing the office to require international banking corporations to translate certain documents into English at the expense of the international banking corporations; amending s. 663.11, F.S.; authorizing the office to permit certain entities that would otherwise be prohibited from continuing business to remain open and in operation under certain circumstances; making technical and conforming changes; amending s. 663.12, F.S.; conforming a provision to changes made by the act; amending s. 663.17, F.S.; making technical changes; providing a directive to the Division of Law Revision and Information; creating part III of ch. 663, F.S., entitled “International Trust Company Representative Offices”; creating s. 663.4001, F.S.; providing legislative intent; creating s. 663.401, F.S.; defining terms; creating s. 663.402, F.S.; providing applicability of the financial institutions codes as to international trust entities; creating s. 663.403, F.S.; providing applicability of the Florida Business Corporation Act as to international trust entities; creating s. 663.404, F.S.; specifying requirements for an international trust entity or certain related entities to conduct financial institution business; authorizing the office to permit an international trust company representative office that would otherwise be prohibited from continuing business to remain open and in operation under certain circumstances; creating s. 663.405, F.S.; providing that an international trust company representative office is not required to produce certain books and records under certain circumstances; providing applicability; creating s. 663.406, F.S.; providing requirements for applications for an international trust entity license; requiring the office to disallow certain financial resources from capitalization requirements; requiring the international trust entity to submit to the office a certain certificate; providing an abbreviated application process for certain international trust entities to establish international trust company representative offices; specifying parameters and requirements for the office in determining whether to approve or disapprove an application; requiring the commission to adopt by rule general principles regarding the adequacy of supervision of an international trust entity’s foreign establishments rules; creating s. 663.407, F.S.; providing capital requirements for an international trust entity; requiring the commission to adopt rules; creating s. 663.408, F.S.; providing permissible activities under and requirements and limitations for international trust entity licenses; providing procedures, conditions, and requirements for the suspension, revocation, or surrender of an international trust entity license; creating s. 663.4081, F.S.; providing for an after-the-fact licensure process in the event of the acquisition, merger, or consolidation of international trust entities; specifying conditions for such licensure; transferring, renumbering, and amending s. 663.0625; adding prohibited activities of representatives and employees of an international trust company representative office; conforming provisions to changes made by the act; creating s. 663.410, F.S.; requiring international trust entities to certify to the office the amount of their capital accounts at specified intervals; providing construction; creating s. 663.411, F.S.; specifying reporting and recordkeeping requirements for international trust entities; providing penalties; authorizing the office to require an international trust entity to translate certain documents into English at the international trust entity’s expense; creating s. 663.412, F.S.; prohibiting an international trust entity from conducting business under certain circumstances; authorizing the office to permit the international trust entity to remain open and in operation under certain circumstances; requiring an international trust entity or its surviving officers and directors to deliver specified documents to the office; providing construction; creating s. 663.413, F.S.; specifying application and examination fees for international trust company representative offices; creating s. 663.414, F.S.; authorizing the commission to adopt certain rules; providing an exemption from statement of estimated regulatory costs requirements; creating s. 663.415, F.S.; requiring international trust company representative offices that are under examination to reimburse domestic or foreign travel expenses of the office; providing a directive to the Division of Law Revision and Information; creating part IV of ch. 663, F.S., entitled “Limited Service Affiliates of International Trust Entities”; creating s. 663.530, F.S.; defining terms; creating s.

663.531, F.S.; specifying permissible and impermissible activities of a limited service affiliate; requiring specified notices to be posted on an international trust entity's or limited service affiliate's website; authorizing enforcement actions by the office; providing construction; creating s. 663.532, F.S.; specifying registration notice requirements and a fee for limited service affiliates; providing requirements and procedures for additional information requested by the office; providing summary suspension requirements and procedures; specifying grounds for denying a registration; providing that violations, fines, or penalties of certain entities do not necessarily disqualify registrants from registration; authorizing the office to consider certain factors in evaluating registrations; providing that registrations are not transferable or assignable; providing for deposit of fees into a specified trust fund; requiring the commission to adopt rules; requiring certain persons or entities to be registered as limited service affiliates by a specified date; creating s. 663.533, F.S.; providing applicability of the financial institutions codes as to limited service affiliates; providing construction; creating s. 663.534, F.S.; requiring a registrant to report changes of certain information to the office within a specified timeframe; creating s. 663.535, F.S.; requiring a specified notice to customers in marketing documents, advertisements, and displays at the limited service affiliate's location or at certain events; creating s. 663.536, F.S.; specifying recordkeeping requirements relating to certain events that a registered limited service affiliate participates in; creating s. 663.537, F.S.; authorizing the office to conduct examinations or investigations of limited service affiliates for certain purposes; specifying a minimum interval of examinations to assess compliance; authorizing the office to examine a person or entity submitting a notice of registration for certain purposes; requiring limited service affiliates to pay specified costs of examination within a specified time; defining the terms "costs" and "actual cost"; providing penalties; specifying the trust fund where examination fees must be deposited; requiring the commission to adopt rules; creating s. 663.538, F.S.; providing requirements and procedures relating to the suspension, revocation, or voluntary surrender of a limited service affiliate's registration; providing a penalty; authorizing the office to conduct examinations under certain circumstances; prohibiting the office from denying a request to terminate operations except under certain circumstances; providing construction; creating s. 663.539, F.S.; requiring a limited service affiliate to renew its registration biennially; specifying the renewal fee and the trust fund where such fee must be deposited; specifying requirements for the renewal registration; creating s. 663.5395, F.S.; providing that limited service affiliates are not required to produce certain books and records under certain circumstances; providing applicability; reenacting s. 663.16(4), F.S., relating to definitions, to incorporate the amendment made to s. 663.01, F.S., in a reference thereto; providing an effective date.

By the Committee on Criminal Justice; and Senator Clemens—

CS for SB 788—A bill to be entitled An act relating to marketing practices for substance abuse services; amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution in the Department of Legal Affairs to investigate and prosecute patient brokering offenses; amending 397.321, F.S.; requiring the Department of Children and Families to ensure that substance abuse service provider personnel providing direct clinical treatment services are certified through a department-recognized certification process; exempting specified licensed individuals from certification; amending s. 397.407, F.S.; revising the requirements for the referral of patients to, and the acceptance of referrals from, a recovery residence; specifying that certain referrals are not prohibited; providing applicability; clarifying that such referrals are not required; amending s. 397.501, F.S.; providing that an application for the disclosure of an individual's records may be filed as part of an active criminal investigation; authorizing a court to approve an application for the disclosure of an individual's substance abuse treatment records without providing express notice of the application to the individual or identified parties with an interest in the records if the application is filed as part of an active criminal investigation; providing that upon implementation of the order granting such application, the individual and identified parties with an interest in the records must be afforded an opportunity to seek revocation or amendment of that order; creating s. 397.488, F.S.; providing legislative findings; prohibiting service providers, operators of recovery residences, and certain third parties from engaging in specified marketing practices; providing penalties; creating s. 817.0345, F.S.; prohibiting a person from knowingly and willfully making specified false or misleading statements or pro-

viding specified false or misleading information under certain circumstances; providing penalties; amending s. 817.505, F.S.; providing that it is unlawful for a person to offer or pay, or solicit or receive, benefits under certain circumstances; providing fines and penalties; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; amending s. 921.0022, F.S.; ranking offenses; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for SB 536—A bill to be entitled An act relating to unclaimed funds held by the clerks of court; repealing s. 43.19, F.S., relating to the deposit of unclaimed funds with the Chief Financial Officer to the credit of the State School Fund; amending s. 45.032, F.S.; deleting a definition; requiring the clerk to report as unclaimed property a surplus under certain circumstances; specifying who is entitled to a surplus under certain circumstances; conforming provisions to changes made by the act; amending s. 45.033, F.S.; conforming a provision to changes made by the act; repealing s. 45.034, F.S., relating to qualifications and appointment of a surplus trustee in foreclosure actions; amending s. 45.035, F.S.; revising service charges that a clerk may receive and deduct from surplus; amending ss. 717.124, 717.138, and 717.1401, F.S.; conforming cross-references; providing an effective date.

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

By the Committee on Criminal Justice; and Senator Clemens—

CS for SB 788—A bill to be entitled An act relating to marketing practices for substance abuse services; amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution in the Department of Legal Affairs to investigate and prosecute patient brokering offenses; amending 397.321, F.S.; requiring the Department of Children and Families to ensure that substance abuse service provider personnel providing direct clinical treatment services are certified through a department-recognized certification process; exempting specified licensed individuals from certification; amending s. 397.407, F.S.; revising the requirements for the referral of patients to, and the acceptance of referrals from, a recovery residence; specifying that certain referrals are not prohibited; providing applicability; clarifying that such referrals are not required; amending s. 397.501, F.S.; providing that an application for the disclosure of an individual's records may be filed as part of an active criminal investigation; authorizing a court to approve an application for the disclosure of an individual's substance abuse treatment records without providing express notice of the application to the individual or identified parties with an interest in the records if the application is filed as part of an active criminal investigation; providing that upon implementation of the order granting such application, the individual and identified parties with an interest in the records must be afforded an opportunity to seek revocation or amendment of that order; creating s. 397.488, F.S.; providing legislative findings; prohibiting service providers, operators of recovery residences, and certain third parties from engaging in specified marketing practices; providing penalties; creating s. 817.0345, F.S.; prohibiting a person from knowingly and willfully making specified false or misleading statements or providing specified false or misleading information under certain circumstances; providing penalties; amending s. 817.505, F.S.; providing that it is unlawful for a person to offer or pay, or solicit or receive, benefits under certain circumstances; providing fines and penalties; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; amending s. 921.0022, F.S.; ranking offenses; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations; and Rules.

ENROLLING REPORTS

SCR 1530 has been enrolled, signed by the required constitutional officers, and filed with the Secretary of State on March 9, 2017.

Debbie Brown, Secretary

Mayfield—SB 874, SB 1354; Powell—CS for SB 196; Rader—CS for SB 196; Rouson—CS for SB 196; Steube—SB 512; Young—SB 78, SB 596

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 8 was corrected and approved.

CO-INTRODUCERS

Senators Broxson—CS for SB 596, SB 964; Campbell—SJR 1266; Flores—SB 1204; Garcia—CS for SB 220; Grimsley—CS for SB 220;

ADJOURNMENT

On motion by Senator Benacquisto, the Senate adjourned at 2:31 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 1:00 p.m., Wednesday, March 15 or upon call of the President.

JOURNAL OF THE SENATE

Daily Numeric Index for

March 9, 2017

PA — Proposal Action
PF — Proposal Failed
PP — Proposal Passed
CO — Co-Introducers
CR — Committee Report

CS — Committee Substitute, First Reading
FR — First Reading
MO — Motion
RC — Reference Change

CS/CS/SB 2	(BA) 172, (BP) 173	CS/SB 596	(CS) 176, (CO) 178
SB 78	(CO) 178	SB 596	(CR) 174, (CO) 178
CS/SB 128	(BA) 173, (CR) 173	SB 616	(CR) 174
CS/SB 196	(CO) 178	SB 662	(CR) 174
CS/SB 220	(CR) 174, (CO) 178	CS/SB 736	(CS) 176
CS/SB 234	(CR) 174	SB 736	(CR) 174
SB 256	(CR) 174	CS/SB 788	(CS) 177, (RC) 177
SB 280	(BA) 173, (BP) 173, (MO) 173, (CR) 173	SB 788	(CR) 174
CS/SB 352	(CR) 174	SB 802	(CR) 174
CS/SB 392	(CS) 175	SB 874	(CO) 178
SB 392	(CR) 174	SB 898	(CR) 173
CS/SB 494	(CS) 175	SB 964	(CO) 178
SB 494	(CR) 174	SB 1204	(CO) 178
SB 512	(CO) 178	SJR 1266	(CO) 178
CS/SB 532	(CS) 175	SB 1354	(CO) 178
SB 532	(CR) 174	SB 7004	(CR) 174
CS/SB 536	(RC) 177	SB 7006	(CR) 174
CS/CS/SB 550	(CS) 175	SB 7008	(CR) 174
CS/SB 550	(CR) 174		