



# Journal of the Senate

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Thursday, February 1, 2018

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## CALL TO ORDER

The Senate was called to order by President Negron at 2:30 p.m. A quorum present—32:

Mr. President	Gainer	Rouson
Baxley	Galvano	Simmons
Bean	Garcia	Simpson
Benacquisto	Gibson	Stargel
Book	Hukill	Steube
Bracy	Mayfield	Stewart
Bradley	Montford	Taddeo
Brandes	Passidomo	Thurston
Braynon	Perry	Torres
Campbell	Powell	Young
Flores	Rodriguez	

Excused: Senators Broxson, Farmer, Hutson, and Rader

## PRAYER

The following prayer was offered by Father Reginald Jean Mary, Notre Dame d'Haiti Catholic Church, Miami:

Almighty God, source of all beings, we come before you this afternoon in the opening session for the year 2018 of the Florida Senate to express our gratitude to you for the gift of life, the gift of one another, and the gift of our elected officials, civic and community leaders, and servants who are present. We thank you for the gift of service, and we thank you for who you are and what you have accomplished in us, through us, and with us to the benefit of others.

As we open the Florida Senate Session for the year 2018, we ask you in the spirit of humility to bless all of us so that we can remain true to who we are, what you have called us to be, and so that we can become your servants. Grant us the spirit of wisdom and kindness of heart so that we can continue to look at the well-being of all. Let us not be driven by the love of power, rather by the power of love. Let us not strive for individual achievements, rather for collective achievements. Bless us not to seek success in our mission, rather to remain faithful to our calling and our constituents. Grant good health to your servants who are present so that they will be fit mentally, psychologically, and spiritually to carry out their duties. We commit every minute of this opening session into your hands. Let your glory shine, not just here, but everywhere; not just today, but tomorrow and forever; and everybody says, "Amen."

## PLEDGE

Senate Pages, Cassidy Branch of Tallahassee; Lauryn Louis of Miami; Adrianna Yeats of New Smyrna Beach; and William Garcia of Miami, 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. Rudolph Moise of Davie, sponsored by Senator Braynon, as the doctor of the day. Dr. Moise specializes in general medicine.

## ADOPTION OF RESOLUTIONS

At the request of Senator Hukill—

By Senator Hukill—

**SR 1900**—A resolution recognizing September 2018 as "Spinal Cord Injury Awareness Month" in Florida.

WHEREAS, the central nervous system is made up of two parts, the brain and the spinal cord, and

WHEREAS, the spinal cord is considered the information superhighway of the body because it contains bundles of neurons that carry signals to and from the brain, controlling many bodily functions, and

WHEREAS, after a spinal cord injury occurs, damaged neurons can no longer emit signals to or from the brain, and the injured person suffers permanent sensory loss and loss of muscle control, and

WHEREAS, in 2017, an estimated 285,000 individuals in the United States were living with a spinal cord injury, and

WHEREAS, it is estimated that the number of new cases involving spinal cord injury in the United States is approximately 17,500 each year, and

WHEREAS, the average age at injury for victims is 42 years, with men accounting for about 81 percent of all new spinal cord injury cases, and

WHEREAS, the National Spinal Cord Injury Statistical Center's 2017 data sheet shows that the four leading causes of spinal cord injury for both men and women were auto accidents, falls, acts of violence, and sports- and recreation-related activities, and

WHEREAS, the same report shows that the average annual cost of care for individuals who had a spinal cord injury ranged between about \$352,000 and \$1.08 million the first year after injury, with an estimated lifetime cost of between about \$1.6 million and \$4.8 million, depending on the severity of injury and the age of the individual at the time of injury, and

WHEREAS, over the past two decades, scientists have made major breakthroughs in understanding how to stimulate the regeneration of damaged neurons, restore function, and improve the quality of life for patients with spinal cord injuries in such areas as infertility and pain management, and

WHEREAS, scores of local, regional, and national organizations and researchers, doctors, volunteers, and others across this state are dedi-

cated to improving the quality of life of people with spinal cord injuries and their families, NOW, THEREFORE,

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

That September 2018 is recognized as “Spinal Cord Injury Awareness Month” in Florida.

—was introduced, read, and adopted by publication.

At the request of Senator Hukill—

By Senator Hukill—

**SR 1902**—A resolution recognizing May 2018 as “American Stroke Month” in Florida.

WHEREAS, stroke is a leading cause of serious long-term disability and the fourth leading cause of death in the United States, annually killing more than 130,000 people nationwide and 29,600 in Florida, and

WHEREAS, stroke prevalence is projected to increase by 20.5 percent between 2016 and 2030, and the direct medical costs for treating stroke are expected to almost triple during that period, from \$71.6 billion to \$184.1 billion, and

WHEREAS, nearly 80 million Americans have high blood pressure, a major controllable risk factor for stroke, including 44 percent of African-American adults, an incidence that is among the highest percentage of hypertension in any population in the world, and

WHEREAS, 58 percent of Americans do not know they are at risk for stroke, and one in three cannot recall any stroke warning signs or symptoms, which may include sudden numbness or weakness of the face, arm, or leg, especially on one side of the body; sudden confusion or difficulty in speaking or understanding; sudden difficulty in seeing in one or both eyes; sudden difficulty in walking; dizziness; loss of balance or coordination; and a sudden severe headache with no known cause, and

WHEREAS, the most common signs and symptoms of stroke can be remembered by the acronym F.A.S.T., which stands for face drooping, arm weakness, speech difficulty, and time to call 9-1-1, and

WHEREAS, according to the Centers for Disease Control and Prevention, atrial fibrillation is a common type of arrhythmia, an abnormal heart rhythm, and risk factors for atrial fibrillation include many of the same risk factors as stroke, including high blood pressure, heart failure, diabetes, advanced age hyperthyroidism, and heart disease, and

WHEREAS, those with atrial fibrillation have a risk of stroke that is five times greater than those without, and 15 percent to 20 percent of all people who have strokes also have atrial fibrillation, and

WHEREAS, atrial fibrillation is a serious health issue that warrants greater community awareness, which can improve the likelihood that people with atrial fibrillation will seek the treatment they need before suffering the devastating consequences of a stroke, and

WHEREAS, on May 1, 2018, the American Stroke Association will celebrate its Day of Action as part of American Stroke Month and as part of its year-round initiative, “Together to End Stroke,” launched in collaboration with the American Heart Association, which celebration brings stroke awareness to the forefront of Americans’ minds and encourages people to memorize and share the stroke warning signs and call 9-1-1 at the first sign of a stroke, 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 2018 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.

BE IT FURTHER RESOLVED that the residents of this state are encouraged to call 9-1-1 at the first sign of a stroke in order to reduce the devastating effects of stroke and to ensure that Floridians may live stronger, healthier lives.

—was introduced, read, and adopted by publication.

At the request of Senator Campbell—

By Senator Campbell—

**SR 1912**—A resolution recognizing June 2018 as “Caribbean Heritage Month” in Florida.

WHEREAS, from a region that conjures images of a scenic paradise, Caribbean Americans are as vibrant as the islands from which they come, possessing a wealth of talent and history that reverberates throughout this great state and nation, and

WHEREAS, as educators, authors, community leaders, activists, athletes, artists, musicians, and politicians, Caribbean Americans have made their mark in every facet of our society and have contributed to the betterment and diversity of our state and nation, and

WHEREAS, counted among many famous sons and daughters of the Caribbean are civil rights activist W.E.B. Du Bois; United States Secretary of the Treasury Alexander Hamilton; United States Secretary of State Colin Powell; United States Congresswoman Shirley Chisholm; Oscar-nominated actress Cicely Tyson; Oscar-winning actor Sidney Poitier; author, poet, and civil rights activist James Weldon Johnson; musician, actor, and social activist Harry Belafonte; Haitian Revolution General Henri Christophe; actor and author Louise Bennett-Coverley; and numerous others who have displayed great strength and resiliency while serving as pioneers among the people of the Caribbean, and

WHEREAS, in 2008, Trinidad and Tobago-born former Lieutenant Governor and former State Representative Jennifer Carroll, along with Jamaica-born former House member and current City of Lauderdale Lakes Mayor Hazelle Rogers, decided to officially recognize the significance of people of the Caribbean Diaspora and their descendants in the history and culture of Florida by establishing the first Caribbean Recognition Day in the Florida House of Representatives, and

WHEREAS, Ms. Carroll and Mayor Rogers wanted to teach communities about the great contributions Caribbean Americans, with their rich mixture of Caribbean and African influences, have made to this state, enriching the strength of America with leaders in government, education, medicine, business, sports, entertainment, and many other fields, and

WHEREAS, we recognize the outstanding contributions to this state by the chair of this great event, Senator Daphne Campbell; her co-chair, Mayor Rogers; and her vice chair, Ms. Carroll, and express the gratitude of all Floridians for their service, and

WHEREAS, this initial legislative celebration was a prelude to the issuance of a proclamation by then-Governor Charlie Crist which declared the month of June as “Caribbean Heritage Month” in Florida, and

WHEREAS, the United States has thrived as a country of immigrants, united by common values and by the promise of a better tomorrow, NOW, THEREFORE,

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

That June 2018 is recognized as “Caribbean Heritage Month” in Florida and all communities and individuals throughout the state are encouraged to honor their cultural and historical bonds and be reminded that America’s greatness lies in its diversity.

—was introduced, read, and adopted by publication.

## SPECIAL ORDER CALENDAR

On motion by Senator Garcia—

**SB 498**—A bill to be entitled An act relating to the Office of Public and Professional Guardians direct-support organization; amending s. 744.2105, F.S.; abrogating the scheduled repeal of provisions governing a direct-support organization established under the Office of Public and Professional Guardians within the Department of Elderly Affairs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 498** was placed on the calendar of Bills on Third Reading.

**SB 222**—A bill to be entitled An act relating to the guardian ad litem direct-support organization; amending s. 39.8298, F.S.; abrogating the future repeal of provisions related to the guardian ad litem direct-support organization; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 222**, pursuant to Rule 3.11(3), there being no objection, **HB 6021** was withdrawn from the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Bean—

**HB 6021**—A bill to be entitled An act relating to the guardian ad litem direct-support organization; amending s. 39.8298, F.S.; abrogating the future repeal of provisions related to the guardian ad litem direct-support organization; providing an effective date.

—a companion measure, was substituted for **SB 222** and read the second time by title.

Pursuant to Rule 4.19, **HB 6021** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley, by unanimous consent—

**CS for SB 204**—A bill to be entitled An act relating to the Land Acquisition Trust Fund; amending s. 375.041, F.S.; revising the specified appropriation for spring restoration, protection, and management projects; requiring a specified appropriation for certain projects related to the St. Johns River and its tributaries or the Keystone Heights Lake Region; requiring the distribution to be reduced by an amount equal to the debt service paid on certain bonds; deleting an obsolete provision; providing an effective date.

—was taken up out of order and read the second time by title.

Pursuant to Rule 4.19, **CS for SB 204** was placed on the calendar of Bills on Third Reading.

**SB 232**—A bill to be entitled An act relating to coral reefs; establishing the Southeast Florida Coral Reef Ecosystem Conservation Area; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 232**, pursuant to Rule 3.11(3), there being no objection, **HB 53** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on the Environment and Natural Resources; and Appropriations.

On motion by Senator Book—

**HB 53**—A bill to be entitled An act relating to coral reefs; establishing the Southeast Florida Coral Reef Ecosystem Conservation Area; providing an effective date.

—a companion measure, was substituted for **SB 232** and read the second time by title.

Pursuant to Rule 4.19, **HB 53** was placed on the calendar of Bills on Third Reading.

## SPECIAL GUESTS

Senator Baxley recognized the elected school board members that form the Florida Coalition of School Boards, including member Rebecca Negron, wife of President Negron, who were present in the gallery.

Consideration of **CS for SB 152** was deferred.

On motion by Senator Passidomo—

**SB 220**—A bill to be entitled An act relating to bankruptcy matters in foreclosure proceedings; creating s. 702.12, F.S.; authorizing lienholders to use certain documents as an admission in an action to foreclose a mortgage; providing that submission of certain documents in a foreclosure action creates a rebuttable presumption that the defendant has waived any defenses to the foreclosure; requiring a court to take judicial notice of orders entered in bankruptcy cases under certain circumstances; providing construction; providing applicability; providing an effective date.

—was read the second time by title.

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

Consideration of **CS for SB 444** was deferred.

## MOTIONS

On motion by Senator Bradley, Senate Rule 7.1 was waived and the following deadlines were applied to **SB 2500** and **SB 2502** and expected to be considered on the Special Order Calendar on Wednesday, February 7, 2018:

- The deadline for filing main amendments to **SB 2500** and **SB 2502** was set for 1:30 p.m., Monday, February 5, 2018.
- The deadline for filing adhering amendments and substitute amendments to **SB 2500** and **SB 2502** was set for 1:30 p.m., Tuesday, February 6, 2018.
- All amendments to the General Appropriations Bill must be balanced as explained.

On motion by Senator Benacquisto, the rules were waived and **CS for SB 152** and **CS for SB 444** were retained on the Special Order Calendar.

## SPECIAL RECOGNITION

Senator Gibson recognized Senator Braynon, who was celebrating his birthday today.

## 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, February 1, 2018: **SB 498**, **SB 222**, **SB 232**, **CS for SB 152**, **CS for SB 204**, **SB 220**, **CS for SB 444**.

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

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 1884

**The bill was referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.**

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: CS for SB 1598

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

The Committee on Appropriations recommends the following pass: SB 168; SB 286; SB 800; SB 950; SB 1130; SB 1370; SB 7014

**The bills were placed on the Calendar.**

The Committee on Health Policy recommends a committee substitute for the following: SB 1128

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

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

**The bill with committee substitute attached was referred to the Committee on Commerce and Tourism under the original reference.**

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1274

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

The Committee on Ethics and Elections recommends a committee substitute for the following: SJR 194

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

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 700

**The bill with committee substitute attached was referred to the Committee on Governmental Oversight and Accountability under the original reference.**

The Committee on Ethics and Elections recommends a committee substitute for the following: SJR 792

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1400 and SB 1640

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

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By the Committee on Appropriations—

**SB 2500**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2018, and ending June 30, 2019, and supplemental appropriations for the period ending June 30, 2018, to pay salaries and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

**SB 2502**—A bill to be entitled An act implementing the 2018-2019 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; amending s. 1011.62, F.S.; creating the mental health assistance allocation to provide supplemental funding for mental health programming and support in schools; providing that such funds shall be allocated based on an entity's proportionate share of Florida Education Finance Program base funding; specifying that the district funding allocation must include a minimum amount as set forth in the General Appropriations Act; authorizing charter schools to receive a share of district funding if certain conditions are met; providing restrictions regarding allocated funds; requiring school districts and charter schools to annually develop a plan regarding the mental health assistance allocation; prescribing minimum requirements for such plans; requiring school districts to submit approved plans to the Commissioner of Education by a specified date; requiring each entity that receives funding under the mental health assistance allocation to submit a report to the commissioner by a specified date; authorizing the Legislature to provide an annual funding compression allocation in the General Appropriations Act; specifying the purpose of the allocation; prescribing the method of calculating the allocation; incorporating by reference certain calculations of the Medicaid Disproportionate Share Hospital program; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding for a component of the Children's Medical Services program; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the department; specifying criteria to be used by the Agency for Persons with Disabilities in the event that an allocation algorithm and methodology for the iBudget system is no longer in effect; providing for the implementation of any new iBudget allocation algorithm and methodology; authorizing increased funding for an iBudget under certain circumstances; amending s. 409.911, F.S.; updating the average of audited disproportionate share data for purposes of calculating disproportionate share payments; extending for 1 fiscal year the requirement that the Agency for Health Care Administration distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity care services as set forth in the General Appropriations Act; amending s. 409.9113, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to teaching hospitals as set forth in the General Appropriations Act; amending s. 409.9119, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to certain specialty hospitals for children as set forth in the General Appropriations Act; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; amending s. 215.18, F.S.; extending for 1 fiscal year the authority, and related repayment requirements, for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; authorizing the Department of Corrections to submit certain budget amendments to transfer funds into the Inmate Health Services category; providing that such transfers are subject to notice, review, and objection procedures; requiring the Department of Juvenile Justice to review county juvenile detention payments to ensure that counties

fulfill specified financial responsibilities; requiring amounts owed by a county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and to comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; prohibiting the Department of Juvenile Justice from providing to certain nonfiscally constrained counties reimbursements or credits against identified juvenile detention center costs under specified circumstances; prohibiting a nonfiscally constrained county from applying, deducting, or receiving such reimbursements or credits; amending s. 27.5304, F.S.; extending for 1 fiscal year certain limitations on compensation for private court-appointed counsel; amending s. 1011.80, F.S.; providing that state funds provided for postsecondary workforce program operations may be used for inmate education if specifically appropriated for such purpose; authorizing a Supreme Court Justice to designate an alternate facility as his or her official headquarters for purposes of travel reimbursement; specifying which expenses may be reimbursed to a justice; requiring the Chief Justice to coordinate with an affected justice and other appropriate officials with respect to implementation; providing for construction; prohibiting the Supreme Court from using state funds to lease space in an alternate facility for use as a justice's official headquarters; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Executive Office of the Governor and the Legislature by a specified date; specifying the amount of the transaction fee to be collected for use of the state's online procurement system; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds appropriated in certain appropriation categories between departments for specified purposes; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Subsystem (FLAIR) and the Cash Management Subsystem (CMS); specifying certain actions to be taken by the Department of Financial Services regarding FLAIR and CMS replacement; providing for the composition of an executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; amending s. 282.0051, F.S.; revising the powers, duties, and functions of the Agency for State Technology with respect to the operational management and oversight of the state data center; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; extending for 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the repayment of the temporary loan; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided under the General Appropriations Act; reenacting s. 373.470(6)(a), F.S., relating to Everglades restoration; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; extending for 1 fiscal year the authority of the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; specifying additional information to be included in budget amendments for projects requiring additional funding; requiring the Department of Environmental Protection to transfer a designated proportionate share of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, according to specified parameters and calculations; defining the term "department"; requiring the Department of Environmental Protection to retain a proportionate share of revenues; specifying a limit on distributions; requiring the

Department of Environmental Protection to make transfers to land acquisition trust funds; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission's land acquisition trust fund for specified purposes; requiring the Department of Environmental Protection to prorate amounts transferred to the Fish and Wildlife Conservation Commission; requiring the Department of Environmental Protection to distribute moneys transferred from the Land Acquisition Trust Fund into the Florida Forever Trust Fund in accordance with a specified distribution formula; amending s. 375.075, F.S.; requiring that a minimum amount of funds for the Florida Recreation Development Assistance Program be used for projects that provide recreational enhancements and opportunities for children; requiring the Department of Environmental Protection to award grants by a specified date; providing limitations with respect to the number of grant applications a local government may submit and the maximum project grant amount; specifying requirements for the selection criteria used by the department; amending s. 295.23, F.S.; transferring duties relating to the administration of the veterans research and marketing campaign from the Florida Tourism Industry Marketing Corporation to Florida Is For Veterans, Inc.; revising the annual appropriation for the veterans research and marketing campaign; amending s. 295.21, F.S.; revising the duties of Florida Is For Veterans, Inc., regarding the veterans research and marketing campaign to conform to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 427.013, F.S.; extending for 1 fiscal year a requirement that the Commission for the Transportation Disadvantaged allocate and award appropriated funds for specified purposes; amending s. 321.04, F.S.; extending for 1 fiscal year provisions requiring the Department of Highway Safety and Motor Vehicles to assign the patrol officer assigned to the Office of the Governor to the Lieutenant Governor and to assign a patrol officer to a Cabinet member under certain circumstances; amending s. 339.135, F.S.; extending for 1 fiscal year provisions authorizing the Department of Transportation to realign budget authority to carry out the department's work program; amending s. 216.292, F.S.; extending for 1 fiscal year a provision that requires a review of certain transfers of appropriations to ensure compliance with ch. 216, F.S., and that such transfers are not contrary to legislative policy and intent; amending s. 112.24, F.S.; extending for 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; prohibiting state agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriations; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing effective dates.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

**SB 2504**—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

**Senate Bills 7000-7014**—Previously introduced.

By the Committee on Agriculture—

**SB 7016**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 595.409, F.S., relating to an exemption from public record requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program; removing applicability of the exemption to such information held by the Department of Children and Families;

removing the scheduled repeal of the exemption; providing an effective date.

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

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By the Committee on Ethics and Elections—

**SB 7018**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for complaints of misconduct filed with an agency against an agency employee, and all information obtained pursuant to an agency investigation of such complaints; removing the scheduled repeal of the exemption; providing an effective date.

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

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By the Committee on Ethics and Elections—

**SB 7020**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 112.324, F.S., which provides exemptions from public records and public meetings requirements for complaints alleging a violation of part III of ch. 112, F.S., and related records that are held by the Commission on Ethics or its agents and specified local government entities, for written referrals and related records that are held by the commission or its agents, the Governor, the Department of Law Enforcement, and state attorneys, and for portions of meetings at which complaints or referrals are discussed or acted upon; removing the scheduled repeal of the exemptions; providing an effective date.

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Ethics and Elections; and Senators Steube and Young—

**CS for SJR 194**—A joint resolution proposing an amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution to limit the terms of office for a member of a district school board; providing applicability; providing an effective date.

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By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senators Farmer and Torres—

**CS for SB 700**—A bill to be entitled An act relating to a strategic fuel reserve; creating the Florida Strategic Fuel Reserve Task Force within the Division of Emergency Management to develop a recommended strategic fuel reserve for an emergency or disaster; requiring the division to provide administrative and support services to the task force; specifying the membership of the task force; requiring the task force to elect a chair and a vice chair; requiring the task force to submit a recommended plan to the Governor and the Legislature; providing an expiration date; providing an effective date.

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By the Committee on Ethics and Elections; and Senator Lee—

**CS for SJR 792**—A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution to revise the duties and responsibilities of the Chief Financial Officer.

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By the Committee on Judiciary; and Senator Powell—

**CS for SB 904**—A bill to be entitled An act relating to judicial process; amending s. 48.021, F.S.; revising authority of special process

servers; revising a cross-reference; requiring that civil witness subpoenas be served by certain persons; amending s. 48.031, F.S.; revising requirements for substituted service on the spouse of the person to be served; revising requirements for documenting service of process; conforming terminology; amending s. 48.062, F.S.; revising requirements for service on limited liability companies; amending s. 48.194, F.S.; revising provisions specifying who may serve process outside of the state; revising requirements for documenting that service has been properly made outside the state; amending s. 48.21, F.S.; revising requirements for return-of-service forms; authorizing certain persons to electronically sign return-of-service forms; amending s. 48.23, F.S.; providing that a person who acquires for a value a lien on property during the course of specified legal actions takes such lien free of claims in certain circumstances; specifying the effect of a valid, recorded notice of lis pendens in certain circumstances involving a judicial sale; providing applicability; amending s. 48.27, F.S.; revising authority of certified process servers; conforming terminology; amending s. 316.29545, F.S.; exempting certified process servers from certain window sun-screening restrictions; providing an effective date.

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By the Committee on Health Policy; and Senator Stargel—

**CS for SB 1128**—A bill to be entitled An act relating to pharmacies; amending s. 465.003, F.S.; revising and providing definitions; amending s. 465.004, F.S.; revising the membership of the Board of Pharmacy; amending s. 465.019, F.S.; establishing Class III institutional pharmacies; providing requirements for such pharmacies; conforming provisions to changes made by the act; amending s. 465.0252, F.S.; revising notice requirements to conform to changes made by the act; amending s. 499.003, F.S.; providing and revising definitions; amending s. 499.01, F.S.; authorizing the distribution of medicinal drugs and prepackaged drug products without a specified permit under certain conditions; deleting a provision exempting certain drug repackagers from specified permit requirements; providing an effective date.

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By the Committee on Regulated Industries; and Senators Passidomo and Mayfield—

**CS for SB 1274**—A bill to be entitled An act relating to community associations; amending s. 718.111, F.S.; deleting a provision prohibiting an association from hiring an attorney who represents the management company of the association; revising condominium association recordkeeping and financial reporting requirements; revising the list of documents that the association is required to post online; limiting an association's liability for inadvertent disclosure of protected or restricted information; providing that the failure of an association to post certain information is not sufficient, in and of itself, to invalidate any action or decision of the association; amending s. 718.112, F.S.; revising provisions relating to required association bylaws; authorizing an association to adopt rules for posting certain notices on the association's website; revising board term limits; providing responsibilities for unit owners who receive electronic notices; revising and providing board member recall and challenge requirements; authorizing the recovery of attorney fees and costs in an action to challenge the validity of a board member recall; amending s. 718.113, F.S.; revising voting requirements relating to alterations and additions to certain common elements or association property; amending s. 718.3026, F.S.; removing a provision relating to certain contracts or transactions regarding conflicts of interest; amending s. 718.3027, F.S.; providing requirements for proposed activity that is identified as a conflict of interest; amending s. 718.303, F.S.; revising fine and suspension requirements; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.104, F.S.; revising cooperative association recordkeeping requirements; amending s. 719.106, F.S.; revising the composition of boards of administration; placing an additional restriction on service as a board member; prohibiting a board member from voting via e-mail; requiring that a notice for certain meetings contain certain information; authorizing an association to adopt rules for posting certain notices on a website; requiring that an adopted rule contain a certain requirement related to electronic notice; providing responsibilities for unit owners who receive electronic notices; providing that directors or officers who are delinquent in certain payments owed in excess of certain periods of time are deemed to have abandoned their offices; amending s. 719.107, F.S.; specifying that certain services that are obtained pursuant to a bulk contract are deemed a common expense;

amending s. 719.303, F.S.; revising fine and suspension requirements; specifying a fine payment is due within a certain timeframe after the fine is approved by the committee; requiring the association to provide written notice of certain fines or suspensions to certain persons; amending s. 720.303, F.S.; prohibiting a board member from voting via e-mail; revising reserve account requirements; providing requirements for votes relating to reserve accounts; providing applicability; requiring that meetings at which a proposed annual budget will be considered be open to all parcel owners; providing requirements for special meetings held to consider a substitute annual budget; amending s. 720.305, F.S.; expanding the list of persons required to be notified of a fine or suspension before the fine or suspension may be imposed; specifying that a payment for a fine is due within a certain timeframe; amending s. 720.306, F.S.; prohibiting write-in nominations for certain elections; requiring certain candidates to commence service on the board of directors regardless of whether a quorum is attained; amending s. 720.3085, F.S.; clarifying applicability; amending s. 720.401, F.S.; revising the statements required to be included in the disclosure summary; providing an effective date.

By the Committee on Community Affairs; and Senators Steube and Simmons—

**CS for SB's 1400 and 1640**—A bill to be entitled An act relating to vacation rentals; providing a directive to the Division of Law Revision and Information; creating s. 509.601, F.S.; providing a short title; creating s. 509.603, F.S.; providing legislative findings; specifying purpose; preempting certain regulation and control of vacation rentals to the state; specifying authority of the Division of Hotels and Restaurants over regulation of vacation rentals; requiring the division to adopt rules; specifying applicability of the preemption; creating s. 509.604, F.S.; preempting licensing of vacation rentals to the state; requiring vacation rentals to obtain a license; specifying that individuals cannot transfer licenses; specifying a penalty for operating without a license; requiring local law enforcement to assist with enforcement; specifying that the division may refuse to issue or renew a license under certain circumstances; specifying that licenses must be renewed annually and that the division must adopt rules for staggered renewals; specifying the manner in which administrative proceedings proceed upon the expiration of a license; specifying that persons intending to use a property as a vacation rental apply for and receive a license before use; requiring applications for a license to include the operator's emergency contact phone number; requiring the division to issue a temporary license upon receipt of an application; requiring such licenses to be displayed in a vacation rental; creating s. 509.605, F.S.; requiring the division to adopt rules regarding certain license and delinquent fees; specifying the maximum number of units under one license; specifying requirements regarding such fees; creating s. 509.6051, F.S.; specifying maximum occupancy for vacation rentals; creating s. 509.606, F.S.; providing penalties for violations; specifying the circumstances that constitute a separate offense of a critical law or rule; specifying circumstances under which a closed-for-operation sign must be posted; specifying where administrative fines must be paid and credited to; specifying the maximum amount of time a vacation rental license may be suspended; specifying certain circumstances where the division may fine, suspend, or revoke the license of a vacation rental; specifying that persons are not entitled to a license when administrative proceedings have been or will be brought against a licensee; providing enforcement for noncompliance with final orders or other administrative actions; authorizing the division to refuse the issuance or renewal of a license until all fines have been paid; creating s. 509.607, F.S.; specifying that vacation rentals are to be treated as transient rentals regarding certain landlord and tenant provisions; exempting persons renting or advertising for rent from certain real estate regulations; creating s. 509.608, F.S.; preempting inspection of vacation rentals to the state; specifying that the division is solely responsible for inspections and quality assurance; specifying that the division has a right of entry and access for performing inspections; prohibiting the division from establishing certain rules; specifying that vacation rentals must be made available for inspection upon request; specifying procedures for vulnerable adults appearing to be victims of neglect and, in the case of buildings without automatic sprinkler systems, persons who may not be able to self-preserve in an emergency; requiring the division to inspect vacation rentals when necessary to respond to emergencies and epidemiological conditions; amending s. 509.609, F.S.; specifying additional requirements when a specified number of certain vacation rental units that are under common own-

ership are rented out for a specified number of nights per year; specifying inspection requirements for such vacation rentals; specifying penalties; requiring the division to audit at least a specified number such vacation rentals per year; amending s. 509.013, F.S.; revising and defining terms; amending s. 509.032, F.S.; specifying provisions for inspection of vacation rentals; revising the requirements of a report relating to inspection of public lodging and public food service establishments; specifying that local governments may regulate activities that arise when a property is used as a vacation rental subject to certain conditions; requiring the division to make vacation rental license information available to the public and local governments; amending ss. 159.27, 212.08, 316.1955, 404.056, and 477.0135, F.S.; conforming cross-references; amending ss. 509.072, 509.091, 509.092, 509.095, 509.101, 509.111, 509.141, 509.142, 509.144, 509.162, 509.191, 509.2015, 509.211, 509.2112, and 509.215, F.S.; conforming provisions to changes made by the act; amending s. 509.221, F.S.; conforming provisions to changes made by the act; revising a provision that excludes vacation rentals from certain sanitary regulations for public lodging; amending s. 509.241, F.S.; conforming provisions to changes made by the act; amending s. 509.242, F.S.; removing vacation rentals from the classifications of public lodging establishments; amending ss. 509.251, 509.281, 509.302, 509.4005, 509.401, 509.402, 509.405, 509.409, and 509.417, F.S.; conforming provisions to changes made by the act; amending ss. 553.5041, 717.1355, and 877.24, F.S.; conforming cross-references; providing an effective date.

## REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Commerce and Tourism; and Banking and Insurance; and Senators Hukill, Young, and Hutson—

**CS for CS for SB 396**—A bill to be entitled An act relating to motor vehicle insurance coverage for windshield glass; amending s. 559.920, F.S.; prohibiting motor vehicle repair shops or their employees from offering anything of value to a customer in exchange for making an insurance claim for motor vehicle glass replacement or repair, including offers made through certain persons; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Rules.

By the Committee on Ethics and Elections; and Senator Lee—

**CS for SJR 792**—A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution to revise the duties and responsibilities of the Chief Financial Officer.

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

By the Committee on Commerce and Tourism; and Senators Bradley and Braynon—

**CS for SB 920**—A bill to be entitled An act relating to deferred presentment transactions; amending s. 560.402, F.S.; providing and revising definitions; amending s. 560.404, F.S.; specifying the maximum face amount of checks that may be taken for deferred presentment installment transactions, exclusive of fees; specifying the maximum rate and frequency of fees that deferred presentment providers or their affiliates may charge on deferred presentment installment transactions; specifying when fees are earned for certain deferred presentment transactions; specifying the calculation of fees earned for deferred presentment installment transactions; prohibiting prepayment penalties; specifying the minimum and maximum terms of a deferred presentment installment transaction; specifying dates that checks must bear; authorizing providers of deferred presentment installment transactions to accept additional checks subject to certain limitations; requiring the deferred presentment agreement to include the deferment period applicable to each check; correcting a reference to federal law; providing an exception to a prohibition against the acceptance or holding of undated checks or checks with certain dates by a deferred presentment provider or its affiliate; conforming a cross-reference; providing a verification process that may be relied upon under certain conditions; revising a notice in deferred presentment agreements; authorizing a

drawer to inform a provider in writing that the drawer cannot redeem or pay in full the amount due and owing to the provider; providing an exception to a prohibition, under certain circumstances, against a deferred presentment provider's deposit or presentment of a drawer's check; requiring a provider of a deferred presentment installment transaction to allow a drawer to defer one scheduled payment under certain circumstances; providing requirements for the deferred payment; specifying the frequency a certain fee may be imposed by Financial Services Commission rule for data on certain transactions submitted by deferred presentment providers to a certain database; providing an exception to a limitation on a deferred presentment provider's acceptance of a certain check or authorization; specifying requirements for amortization, installment repayments, and the calculation of charges for deferred presentment installment transactions; conforming provisions to changes made by the act; amending s. 560.405, F.S.; providing an exception to a prohibition against a deferred presentment provider's or its affiliate's presentment of a drawer's check before the end of the deferment period; revising a condition under which a deferred presentment provider may allow the check to be redeemed in lieu of presentment; revising a prohibition against requiring a drawer to redeem his or her check before the agreed-upon date; reenacting s. 560.111(5), F.S., relating to prohibited acts, to incorporate the amendments made to ss. 560.404 and 560.405, F.S., in references thereto; providing an effective date.

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

By the Committee on Health Policy; and Senator Stargel—

**CS for SB 1128**—A bill to be entitled An act relating to pharmacies; amending s. 465.003, F.S.; revising and providing definitions; amending s. 465.004, F.S.; revising the membership of the Board of Pharmacy; amending s. 465.019, F.S.; establishing Class III institutional pharmacies; providing requirements for such pharmacies; conforming provisions to changes made by the act; amending s. 465.0252, F.S.; revising notice requirements to conform to changes made by the act; amending s. 499.003, F.S.; providing and revising definitions; amending s. 499.01, F.S.; authorizing the distribution of medicinal drugs and prepackaged drug products without a specified permit under certain conditions; deleting a provision exempting certain drug repackagers from specified permit requirements; providing an effective date.

—was referred to the Committees on Regulated Industries; and Rules.

By the Committee on Education; and Senator Garcia—

**CS for SB 1388**—A bill to be entitled An act relating to pre-apprenticeship and apprenticeship programs; establishing the Task Force on Apprenticeship Expansion within the Department of Economic Opportunity; defining terms; specifying the duties of the task force; requiring the task force to be comprised of certain members appointed by a specified date; providing requirements for meetings of the task force; requiring task force members to serve without compensation; requiring the department and the Department of Education to provide specified assistance to the task force; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing for the future expiration of the task force; providing an effective date.

—was referred to the Committee on Rules.

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

**CS for SB 1790**—A bill to be entitled An act relating to the Baker Act; requiring the Department of Children and Families to create a workgroup to provide recommendations relating to revision of the Baker Act; requiring the workgroup to make recommendations on specified topics; providing for membership of the workgroup; providing for meetings; requiring the workgroup to meet by a specified date; requiring the workgroup to review a draft of its recommendations by a specified date; requiring the workgroup to submit a final report to specified entities and the Legislature by a specified date; providing an effective date.

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

## EXECUTIVE BUSINESS

### 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 Citrus Commission Appointee: Hunt, G. Ellis, Jr., Babson Park	05/31/2020
Hillsborough County Civil Service Board Appointee: Bell, Tiffany D., Tampa	07/02/2021
Board of Trustees of Santa Fe College Appointees: Goldwire, Michael M., Starke	05/31/2021
Education Practices Commission Appointee: Bassett, Christine, Confidential pursuant to s. 119.071(4), F.S.	09/30/2020
Electrical Contractors' Licensing Board Appointee: Botknecht, David H., Hollywood	10/31/2021
Florida Commission on Human Relations Appointee: McCambry, Al, Lynn Haven	09/30/2019
Board of Respiratory Care Appointee: Hom, Janelle, Orlando	10/31/2021

### Referred to the Committee on Ethics and Elections.

<i>Office and Appointment</i>	<i>For Term Ending</i>
State Board of Education Appointees: Tuck, Andy, Sebring York, Joseph S., Ponte Vedra Beach	12/31/2021 12/31/2020
Board of Trustees, Florida Gulf Coast University Appointee: Gable, Robert Blakeslee, Naples	01/06/2023

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Fish and Wildlife Conservation Commission Appointee: Lester, Gary L., Oxford	08/01/2022

### Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 3, as amended, and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Ways & Means Committee, Commerce Committee and Representative(s) Grant, M., Albritton, Fine—

**CS for CS for HB 3**—A bill to be entitled An act relating to economic development and tourism promotion accountability; amending s. 11.45, F.S.; authorizing the Auditor General to audit certain accounts and



records; creating ss. 288.0751 and 288.12261, F.S.; providing definitions; providing requirements for the operation of economic development agencies and tourism promotion agencies, respectively; requiring specified persons to file an annual disclosure of certain interests; providing requirements for such disclosure; requiring board members to serve without compensation; authorizing per diem and travel expenses for certain persons paid from specified funds; prohibiting specified persons from receiving public compensation in excess of a certain amount; prohibiting certain performance bonuses and severance pay; subjecting certain persons to a specified code of ethics; requiring such agencies to take certain actions regarding a significant potential conflict of interest; limiting lodging expenses for certain persons; providing an exception; prohibiting the expenditure of agency funds on certain items; prohibiting specified persons from accepting certain items from specified entities; prohibiting a tourism promotion agency from expending funds that directly benefit only one business entity; requiring certain contracts to include specified information; requiring a governing body of a local governmental entity to publish certain proposed contracts on such entity's website and approve certain contracts; requiring such agencies to submit a report of financial data to a governing body of a local governmental entity; specifying that certain records are public records; requiring such agencies to provide online access to certain information; prohibiting such agencies from receiving or expending public funds; requiring the Auditor General to conduct certain audits; authorizing the Governor or Chief Financial Officer to cease distributing certain tax revenues to certain noncompliant tourism promotion agencies; providing that it is unlawful to knowingly and willfully make false or misleading statements, provide false or misleading information, fail to report certain information, or purposefully avoid specified requirements; providing penalties; providing applicability; amending s. 125.0104, F.S.; requiring the governing board of a county to review certain proposed contracts and certifications relating to potential conflicts of interest and mitigation plans; requiring the governing board of a county that imposes a tourist development tax to provide online access to certain information; amending ss. 288.1226 and 288.904, F.S.; revising financial data required to be included in an annual report; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 25 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Government Accountability Committee and Representative(s) Plakon—

**CS for HB 25**—A bill to be entitled An act relating to labor organizations; amending s. 447.305, F.S.; revising the information required to be included in an application for renewal of registration of an employee organization; amending s. 447.307, F.S.; providing for the revocation of certification under certain conditions; requiring certain employee organizations to recertify as bargaining agents; providing nonapplicability with respect to employee organizations that represent or seek to represent certain employees; providing an appropriation and authorizing positions; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 27 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Fitzenhagen—

**HB 27**—A bill to be entitled An act relating to certificates of need for hospitals; amending s. 408.032, F.S.; revising and deleting definitions; amending s. 408.034, F.S.; revising duties and responsibilities of the Agency for Health Care Administration relating to issuance of licenses to health care facilities and health service providers; conforming a reference; amending s. 408.035, F.S.; excluding general hospitals from certain agency review of applications for certificate-of-need determinations; amending s. 408.036, F.S.; revising health-care-related projects subject to agency review for a certificate of need and exemptions thereof; deleting provisions requiring health care facilities and providers to provide certain notice to the agency upon termination of a health care service or the addition or delicensure of beds; conforming a provision; amending ss. 408.037 and 408.039, F.S.; conforming provisions to changes made by the act; amending s. 408.043, F.S.; deleting certificate-of-need requirements for osteopathic acute care hospitals; amending s. 395.1055, F.S.; revising the agency's rulemaking authority with respect to minimum standards for hospitals; requiring hospitals that provide certain services to meet specified licensure requirements; conforming provisions to changes made by the act; repealing s. 395.6025, F.S., relating to rural hospital replacement facilities; amending ss. 395.603, 395.604, 395.605, and 408.033, F.S.; conforming provisions and cross-references; amending s. 408.0361, F.S.; deleting obsolete provisions; providing an effective date.

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

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 37 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Burgess, Miller, M., Magar, Payne, Spano, Stevenson, White—

**HB 37**—A bill to be entitled An act relating to direct primary care agreements; creating s. 624.27, F.S.; providing definitions; specifying that a direct primary care agreement does not constitute insurance and is not subject to the Florida Insurance Code; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to the code; providing that a certificate of authority is not required to market, sell, or offer to sell a direct primary care agreement; specifying requirements for a direct primary care agreement; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 67 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) McGhee, Lee, Asencio, Brown, Burgess, Cortes, J., Daniels, DuBose, Duran, Harrison, Henry, Ingoglia, Jacobs, Jenne, Moskowitz, Stafford, Watson, C.—

**HB 67**—A bill to be entitled An act relating to the Florida Slavery Memorial; creating s. 265.006, F.S.; providing legislative intent; establishing the Florida Slavery Memorial; providing for administration of the memorial by the Department of Management Services; directing the department to develop a specified plan for the design, placement, and cost of the memorial and submit the plan to the Governor and Legislature; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has adopted CS/HM 147 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Cortes, B.—

**CS for HM 147**—A memorial to the Congress of the United States, urging Congress to apply law and policy in Puerto Rico without discrimination or inequality and to incorporate the Commonwealth of Puerto Rico into the United States.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 185 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Mariano, Albritton, Gruters, Jacobs, Payne—

**HB 185**—A bill to be entitled An act relating to redirection of fees to tax collectors; amending s. 322.12, F.S.; providing for allocation of fees from certain driver license examinations administered by tax collectors; amending s. 322.21, F.S.; providing for allocation of fees from certain driver license reinstatement services performed by tax collectors; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 193 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Stark—

**HB 193**—A bill to be entitled An act relating to mortgage brokering; amending s. 494.00115, F.S.; providing an exemption from regulation under parts I and II of ch. 494, F.S., for certain securities dealers, investment advisors, and associated persons; providing requirements for certain solicitations and referrals; providing an effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 215 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Payne, Geller—

**HB 215**—A bill to be entitled An act relating to autocycles; amending s. 316.003, F.S.; defining the term "autocycle"; revising the definition of the term "motorcycle"; amending s. 316.614, F.S.; requiring safety belt usage by an operator or passenger of an autocycle; amending s. 320.01, F.S.; including an autocycle in the definition of the term "motorcycle"; amending s. 322.03, F.S.; authorizing operation of an autocycle without a motorcycle endorsement; amending s. 322.12, F.S.; providing applicability; amending s. 403.415, F.S.; conforming provisions to changes made by the act; amending ss. 212.05, 316.303, 320.08, and 655.960, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 273 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Rodrigues—

**HB 273**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; prohibiting an agency that receives a request to inspect or copy a record from responding to such request by filing a civil action against the individual or entity making the request; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 359 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Nuñez, Diaz, M., Caldwell, Donalds, Fant, Jenne—

**HB 359**—A bill to be entitled An act relating to state investments; amending s. 215.471, F.S.; requiring the State Board of Administration to divest specified investments and prohibiting it from investing in specified investments of institutions or companies doing business in or with the government of Venezuela or any of its agencies or instrumentalities in violation of federal law; defining the term "government of Venezuela"; authorizing the Governor to waive the investment prohibitions if certain conditions exist; prohibiting the State Board of Administration from voting in favor of any proxy resolution advocating expanded United States trade with the government of Venezuela; amending s. 215.472, F.S.; prohibiting state agencies from investing in specified financial entities that extend credit, trade or buy goods or services with the government of Venezuela or investing in any company doing business with Venezuela in violation of federal law; defining the term "government of Venezuela"; authorizing the Governor to waive the investment prohibitions under specific circumstances; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 405 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Williamson, Payne—

**HB 405**—A bill to be entitled An act relating to linear facilities; amending s. 163.3221, F.S.; revising the definition of the term "development" to exclude work by certain utility providers on utility infrastructure on certain rights-of-way or corridors; revising the definition to exclude the creation or termination of distribution and transmission corridors; amending s. 380.04, F.S.; revising the definition of the term "development" to exclude work by certain utility providers on utility infrastructure on certain rights-of-way or corridors; revising the definition to exclude the creation or termination of distribution and transmission corridors; amending s. 403.511, F.S.; requiring the consideration of a certain variance standard when including conditions for the certification of an electrical power plant; clarifying that the Public

Service Commission has exclusive jurisdiction to require underground transmission lines; amending s. 403.531, F.S.; requiring the consideration of a certain variance standard when including conditions for the certification of a proposed transmission line corridor; clarifying that the Public Service Commission has exclusive jurisdiction to require underground transmission lines; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Community Affairs.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 413 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Moraitis—

**HB 413**—A bill to be entitled An act relating to trusts; amending s. 736.0103, F.S.; redefining the term "interests of the beneficiaries"; amending s. 736.0105, F.S.; deleting a requirement that a trust and its terms be for the benefit of the trust's beneficiaries; amending s. 736.0109, F.S.; revising provisions relating to notice or sending of trust documents to include posting on a secure electronic account or website; providing requirements for such documents to be deemed sent; requiring a certain authorization to specify documents subject to electronic posting; revising requirements for a recipient to electronically access such documents; prohibiting the termination of a recipient's electronic access to such documents from invalidating certain notice or sending of electronic trust documents; tolling specified limitations periods under certain circumstances; providing requirements for electronic access to such documents to be deemed terminated by a sender; providing construction; providing applicability; amending s. 736.0404, F.S.; deleting a restriction on the purpose for which a trust is created; amending s. 736.04117, F.S.; defining and redefining terms; authorizing an authorized trustee to appoint all or part of the principal of a trust to a second trust under certain circumstances; providing requirements for the second trust and its beneficiaries; authorizing the second trust to retain, omit, or create or modify specified powers; authorizing the term of the second trust to extend beyond the term of the first trust; authorizing the class of permissible appointees to the second trust to differ from the class identified in the first trust under certain circumstances; providing requirements for distributions to a second trust when the authorized trustee does not have absolute power; providing requirements for such second trust; providing requirements for grants of power of appointment by the second trust; authorizing a second trust created by an authorized trustee without absolute power to grant specified powers under certain circumstances; authorizing an authorized trustee to appoint the principal of a first trust to a supplemental needs trust under certain circumstances; providing requirements for such supplemental needs trust; prohibiting an authorized trustee from distributing the principal of a trust in a manner that would reduce specified tax benefits; prohibiting the distribution of S corporation stock from a first trust to a second trust under certain circumstances; prohibiting a settlor from being treated as the owner of a second trust if he or she was not treated as the owner of the first trust; prohibiting an authorized trustee from distributing a trust's interest in property to a second trust if the interest is subject to specified rules of the Internal Revenue Code; authorizing the exercise of power to invade a trust's principal to apply to a second trust created or administered under the law of any jurisdiction; prohibiting the exercise of power to invade a trust's principal to increase an authorized trustee's compensation or relieve him or her from certain liability; specifying who an authorized trustee must notify when he or she exercises his or her power to invade the trust's principal; specifying the documents that the authorized trustee must provide with such notice; amending s. 736.08135, F.S.; revising applicability; amending s. 736.1008, F.S.; clarifying that certain knowledge by a beneficiary does not cause a claim to accrue for breach of trust or commence the running of a period of limitations or laches; providing legislative intent; providing retroactive application; providing effective dates.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 455 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Commerce Committee, Insurance & Banking Subcommittee and Representative(s) McClain, Ponder—

**CS for CS for HB 455**—A bill to be entitled An act relating to governance of banks and trust companies; amending s. 658.21, F.S.; revising requirements relating to the financial institution experience of certain proposed directors and officers of a proposed bank or trust company; amending s. 658.33, F.S.; revising the residency requirement for certain directors of a bank or trust company; revising requirements relating to the financial institution experience of certain officers of a bank or trust company; amending s. 658.67, F.S.; revising instances during which a bank may not own certain stock, obligations, and other securities; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 623 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Byrd, White—

**HB 623**—A bill to be entitled An act relating to out-of-country foreign money judgments; amending s. 55.605, F.S.; providing additional circumstances in which an out-of-country foreign judgment need not be recognized; providing an effective date.

—was referred to the Committees on Judiciary; Commerce and Tourism; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has adopted HM 817 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Harrell, Williams—

**HM 817**—A memorial to the Congress of the United States, urging Congress to allow renewal of Title IV-E waivers for child welfare services.

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

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HJR 7001 by the required constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Ways & Means Committee and Representative(s) Leek, Eagle, Metz—

**HJR 7001**—A joint resolution proposing the creation of section 19 of Article VII of the State Constitution to provide that no state tax or fee may be imposed, authorized, or raised by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval; providing for applicability; providing definitions; requiring any tax or fee imposed or raised under this section to be contained in a separate bill that contains no other subject.

—was referred to the Committees on Appropriations Subcommittee on Finance and Tax; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7011 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Oversight, Transparency & Administration Subcommittee and Representative(s) Davis—

**HB 7011**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 595.409, F.S., relating to an exemption from public record requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program; removing applicability of the exemption to such information held by the Department of Children and Families; removing the scheduled repeal of the exemption; providing an effective date.

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

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7013 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Oversight, Transparency & Administration Subcommittee and Representative(s) Yarborough—

**HB 7013**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 68.083, F.S., relating to an exemption from public record requirements for the complaint and information held by the Department of Legal Affairs pursuant to an investigation of a violation of the Florida False Claims Act; removing the scheduled repeal of the exemption; providing an effective date.

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

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of January 31 was corrected and approved.

## CO-INTRODUCERS

Senators Baxley—CS for SB 444; Garcia—SB 462; Mayfield—SB 1080; Rouson—SB 890

## ADJOURNMENT

On motion by Senator Benacquisto, the Senate adjourned at 3:07 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, February 7 or upon call of the President.

JOURNAL OF THE SENATE

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February 1, 2018

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

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