



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Negron at 10:00 a.m. A quorum present—37:

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

PRAYER

The following prayer was offered by Rabbi Daniel Hadar, Director, Sephardic Foundation and Spiritual Leader of Temple Moses, Miami Beach:

This morning we have a few, very precious moments to come together, pray together, and reflect together before you begin the first Senate session since the tragedy in Parkland that has devastated all of us one week ago. In these extremely challenging times, let us pray together to G-d Almighty for wisdom, for togetherness, and for healing. Above all — let us ask the Almighty for light. This morning we ask G-d to help us see light in the darkness, to see hope in a world of despair, and vision in a sea of confusion.

Please G-d, help us find the inner strength to reflect our positive light in the world to help illuminate the darkness caused by the extinguishing of seventeen special flames. Please G-d, help us build unity, support, and love with each other and for each other. As we say, “Hazak u Baruch,” which means, “Please G-d, give strength,” to the Senators, legislators, and all our leaders to have insight into the issues and the fortitude to lift us all up and navigate these waters as the nation’s eyes look to you for guidance and solidarity. Please G-d, may we pull out the kindness in each of our hearts so that we may see the good in everyone. Please G-d, lift us all up. Amen.

PLEDGE

Senate Pages, Haleigh Howell of Panama City; Savannah Parker of Panama City; Steven Prutsman of Tallahassee; and Sarah Stewart of Jacksonville, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Campbell—

By Senator Campbell—

SR 1062—A resolution recognizing February 12-16, 2018, as Jewish American Heritage Week in Florida.

WHEREAS, nationally, Jewish American Heritage Month resulted from a congressional initiative launched in 2005 to recognize the more than 360-year history of Jewish contributions to North American culture, and

WHEREAS, Jewish American Heritage Month has been commemorated since 2006 through educational programs coordinated by a number of government agencies, including the Library of Congress, the National Archives, and the United States Holocaust Memorial Museum, and

WHEREAS, Jewish immigrants from around the world continue to journey to the State of Florida in search of hope, shelter, and the opportunity for a new beginning, and

WHEREAS, the population of Jewish Americans in the United States has grown to 5.7 million, and 654,860 Jewish Americans reside in this state, and

WHEREAS, Jewish Americans have made vital contributions to the development of our communities, academic institutions, civic organizations, and businesses, and

WHEREAS, while contributing to every facet of American society, Jewish Americans have infused our nation’s civic, social, economic, and cultural life with their own unique culture, customs, and dynamic heritage, and

WHEREAS, the faith and hard work of Jewish Americans have played an integral role in shaping the cultural fabric of this state, and

WHEREAS, Jewish Americans have worked to promote civil rights and build bridges of mutual understanding between the world’s religions, and

WHEREAS, during Jewish American Heritage Month the nation celebrates and honors the invaluable contributions of Jewish Americans to our way of life, and it is fitting that the proud history of Jewish Americans be recognized in this state, NOW, THEREFORE,

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

That February 12-16, 2018, is recognized as Jewish American Heritage Week in Florida.

—was introduced, read, and adopted by publication.

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SR 1062**.

Yeas—37

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

At the request of Senator Perry—

By Senator Perry—

SR 1162—A resolution recognizing the University of Florida for its exemplary accomplishments as a leading academic and research institution, as well as for its contributions to the betterment of the state and nation.

WHEREAS, the University of Florida is a top 10 university, ranking No. 9 in the 2018 *U.S. News & World Report* list of Best Public Universities, and

WHEREAS, the University of Florida ranks third among all research universities in the country for getting its ideas out of the laboratory and into the real world, placing UF ahead of such schools as Stanford, MIT, Cal Tech, and the University of Texas system, according to the Milken Institute’s 2017 ranking of Best Universities for Technology Transfer, and

WHEREAS, the University of Florida’s entomology department is the best in the world, and a host of other UF programs rank in the top 10 globally from among more than 26,000 degree-granting institutions of higher education, according to the 2017 Center for World University Rankings, and

WHEREAS, applications to the University of Florida reached a new record in 2017, with more than 34,000 prospective students vying for admission during the summer and fall semesters, nearly an 8 percent increase over the previous year’s total of 32,026, and

WHEREAS, the University of Florida is once again ranked as one of the nation’s “Best Colleges for Your Money” by *Money* magazine, coming in 10th among public institutions in 2017, and

WHEREAS, the UF MBA Full-Time Program at the Hough Graduate School of Business achieved its highest ranking ever in *The Economist’s* MBA Full-Time Rankings, rising from last year’s No. 10 position to No. 5 among U.S. public institutions, and

WHEREAS, with generous funding made possible by the Legislature and Governor Rick Scott, the University of Florida will hire 500 new faculty members to further enhance teaching and research and to keep UF among the best research universities in the nation, and

WHEREAS, University of Florida faculty earned nearly \$686 million in research awards in fiscal year 2017, including major grants to study the Zika virus and citrus greening, and for special education training, and

WHEREAS, the United States Department of Defense is seeking ways to speed up cognitive skills training and is awarding University of Florida engineers and neuroscientists up to \$8.4 million over the next 4

years to investigate how to apply electrical stimulation to peripheral nerves as a means of strengthening neuronal connections in the brain, and

WHEREAS, the University of Florida’s athletics program placed third in the 2016-2017 Learfield Sports Directors’ Cup standings, making UF the only program to finish among the nation’s top 10 in each of the last 34 national all-sports standings, and

WHEREAS, in just over a month during 2017, three Gator teams celebrated NCAA Championship wins in women’s tennis, men’s track and field, and baseball, equaling the single season high set in 2011-2012 at Florida, which is one of only six schools to win national titles in baseball, basketball, and football, and

WHEREAS, in November, UF Health opened the UF Health Heart and Vascular Hospital and the UF Health Neuromedicine Hospital, representing important steps in the ongoing efforts to serve patients in the Gainesville area, and throughout the state, the Southeast, and beyond, and creating a healing environment in which UF Health’s personalized approach to care will draw upon the latest technologies in medical science, NOW, THEREFORE,

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

That the University of Florida is recognized for its exemplary accomplishments as a leading academic and research institution, as well as for its contributions to the betterment of the state and nation.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to University of Florida President W. Kent Fuchs, Ph.D., as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Book—

By Senator Book—

SR 1164—A resolution recognizing the importance of awareness of meningococcal disease, and all five dangerous strains of the disease, including meningococcal B.

WHEREAS, meningococcal disease is an infection caused by the bacterium *Neisseria meningitides*, or meningococcus, and

WHEREAS, 1 in 10 people are carriers of these bacteria, and since they do not have any signs or symptoms of disease, may not know that *Neisseria meningitides* can sometimes cause illness, and

WHEREAS, meningococcal disease is spread from person to person via the exchange of bacteria through respiratory and throat secretions during close or lengthy contact, and

WHEREAS, nationwide, 1,000 to 1,200 cases of meningococcal disease are diagnosed each year, and

WHEREAS, 10 to 15 percent of infected individuals die, and 11 to 19 percent of those who survive suffer from serious morbidity, including the loss of limbs and impacts to the nervous system, and

WHEREAS, infants under 1 year of age, as well as young adults between the ages of 16 and 21, are most commonly impacted by this disease, and

WHEREAS, there are 12 different strains, or serogroups, of *Neisseria meningitides*, with serogroups A, B, C, W, and Y accounting for most meningococcal diseases in the United States, and

WHEREAS, there have been several recent outbreaks of serogroup B meningococcal disease on college campuses, with some cases resulting in death, and

WHEREAS, there are vaccines that help provide protection against all five serogroups commonly seen in the United States, and

WHEREAS, vaccination for serogroups A, C, W, and Y is routinely recommended by the Centers for Disease Control and Prevention (CDC), and

WHEREAS, the CDC's Advisory Committee on Immunization Practices recommends that decisions to vaccinate adolescents and young adults ages 16 to 23 against serogroup B meningococcal disease should be made at the individual level in consultation with their health care providers, and

WHEREAS, the recent incidences of meningococcal disease have served as a reminder of the critical role that vaccinations play in helping to prevent this devastating illness and to maintain public health, NOW, THEREFORE,

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

That the Florida Senate recognizes the importance of awareness of meningococcal disease, and all five dangerous strains of the disease, including meningococcal B.

—was introduced, read, and adopted by publication.

At the request of Senator Book—

By Senator Book—

SR 1204—A resolution recognizing April 23-27, 2018, as “Every Kid Healthy Week” in Florida.

WHEREAS, more than 20 percent of Florida's population, or 4.1 million residents, is under 18 years of age, and

WHEREAS, the incidence of individuals who are overweight or obese is on the rise, with more than 30 percent of Florida children considered overweight or obese, and childhood obesity has become a major health epidemic in this state, and

WHEREAS, being overweight as a child can lead to serious health problems, such as heart disease, type 2 diabetes, and asthma, and can also lead to sleep problems, low self-esteem, and being bullied, and these health and wellness concerns lead to higher health care costs that negatively impact Florida taxpayers, and

WHEREAS, nationally, 86 percent of health care expenditures go toward the diagnosis and treatment of chronic diseases, many of which have been linked to obesity and physical inactivity, and Florida spends more than \$8,000 per capita annually on health care, and

WHEREAS, regular physical activity can produce long-term health benefits and, in response to the health challenges facing Florida's adolescents, many health clubs in this state have created programs directed at children and adolescents and have also developed programs that encourage families to exercise together so they live healthier lives, and

WHEREAS, the number of health club members who are under 18 years of age has more than doubled in Florida, well ahead of the national average increase of 60 percent, but, still, only 25 percent of Florida's youth meet recommended levels of aerobic and muscle-strengthening physical activity, and

WHEREAS, parents are a positive influence in helping their children eat healthier food and become more physically active, and

WHEREAS, promoting healthy behavior promotes a healthy population, reduces health care costs, and provides a healthier and more productive workforce, and

WHEREAS, Florida's future relies on the health and well-being of its youth, NOW, THEREFORE,

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

That in recognition of the need to support initiatives that encourage physical activity and the adoption of healthy lifestyles, and acknowledging the need to improve the quality of life of many young Floridians and to prevent an increased burden on taxpayers stemming from the epidemic of childhood obesity, April 23-27, 2018, is recognized as “Every Kid Healthy Week” in Florida.

—was introduced, read, and adopted by publication.

At the request of Senator Passidomo—

By Senator Passidomo—

SR 1390—A resolution recognizing May 2018 as “Bladder Cancer Awareness Month” in Florida.

WHEREAS, according to the National Cancer Institute, bladder cancer is the sixth most common cancer in the United States, and

WHEREAS, as of 2017, Florida had the second-highest average number of bladder cancer diagnoses per year of any state, and

WHEREAS, bladder cancer is the fourth most common cancer in men and approximately 587,000 people in the United States live with bladder cancer, and

WHEREAS, men have a 1 in 26 chance and women have a 1 in 88 chance of being diagnosed with bladder cancer in their lifetimes, and

WHEREAS, in 2017, approximately 79,030 new cases of bladder cancer were diagnosed nationwide, and an estimated 16,870 Americans died as a result of the disease, and

WHEREAS, although bladder cancer can occur at any age, a high percentage of people suffering from the disease are older than 55 years of age, and

WHEREAS, despite its standing as the sixth most common cancer in the United States, bladder cancer ranked 18th in terms of research money received as of 2014, and

WHEREAS, smoking and exposure to certain chemicals may increase a person's likelihood of developing bladder cancer, and

WHEREAS, because diagnosis is often delayed, which may worsen a person's prognosis, Floridians should be made aware of the early signs and symptoms associated with bladder cancer and should be encouraged to immediately discuss concerns about their urinary systems with their doctors, NOW, THEREFORE,

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

That May 2018 is recognized as “Bladder Cancer Awareness Month” in Florida.

—was introduced, read, and adopted by publication.

At the request of Senator Grimsley—

By Senator Grimsley—

SR 1918—A resolution recognizing February 2018 as “Self-Care Month” in Florida.

WHEREAS, self-care is a lifelong, daily habit of healthy lifestyle choices, good hygiene practices, following a nutritious diet, regular exercise, monitoring for signs and symptoms of changes in health, knowing when to consult a health care practitioner, and knowing when it is appropriate to self-treat conditions, and includes efforts to prevent infection and illness, and

WHEREAS, self-care includes making responsible use of all medications, both by prescription and over the counter, and

WHEREAS, the United States Food and Drug Administration deems over-the-counter medicines safe and effective for the self-care of minor acute and chronic health conditions and symptoms, such as pain, common colds, allergies, and other conditions that impact large segments of the population, and

WHEREAS, over-the-counter medicines are either developed as new nonprescription medicines or were formerly prescription medicines and now are available to consumers without a prescription, and

WHEREAS, over-the-counter medicines are self-care products that consumers purchase in pharmacies, supermarkets, retail stores, and online, and

WHEREAS, every dollar spent on over-the-counter medicines saves the United States health care system \$6 to \$7, totaling \$102 billion in annual savings, and

WHEREAS, over-the-counter medicines help to ease the burden on health care practitioners, eliminating unnecessary medical examinations that can be avoided with appropriate self-care, and

WHEREAS, the availability of self-care can help improve personal and public health, save money for individuals and the government, and strengthen the sustainability of the broader health care system, and

WHEREAS, Florida benefits when residents practice appropriate self-care, when they do not make unnecessary visits to health care practitioners, and when they are empowered by higher self-esteem, improved health, and reduced use of health care services, and

WHEREAS, the achievement of self-care's potential is a shared opportunity for consumers, health care practitioners, policymakers, and regulators, NOW, THEREFORE,

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

That February 2018 is recognized as "Self-Care Month" in Florida.

BE IT FURTHER RESOLVED that the importance of improving awareness of self-care and the value it represents to the residents of this state is recognized.

BE IT FURTHER RESOLVED that increased consumer empowerment through the development of new over-the-counter medicines and the availability of certain formerly prescription medicines as nonprescription medicines is encouraged.

BE IT FURTHER RESOLVED that over-the-counter medicines can greatly improve health and reduce costs to the public health system, and consumers, health care practitioners, policymakers, and regulators are encouraged to communicate the benefits of self-care.

—was introduced, read, and adopted by publication.

At the request of Senator Bradley—

By Senator Bradley—

SR 1928—A resolution recognizing February 25, 2018, as "St. Johns River State College Day" and commemorating the college's 60th anniversary.

WHEREAS, St. Johns River State College, formerly known as St. Johns River Junior College and St. Johns River Community College, was founded in 1958 to serve the counties of Clay, Putnam, and St. Johns, and

WHEREAS, St. Johns River State College's first campus was located in Palatka and officially opened for organizational purposes on February 25, 1958, and

WHEREAS, St. Johns River State College served 191 students in its first semester and has evolved into a multi-campus institution that currently serves approximately 11,000 students and offers Bachelor of

Applied Science, Bachelor of Science, Associate in Arts, and Associate in Science degrees, as well as a variety of certificate and workforce training programs, and

WHEREAS, upon its merger with Collier-Blocker Junior College in 1964, St. Johns River State College became a fully integrated public junior college serving all students in Clay, Putnam, and St. Johns Counties, and

WHEREAS, in 1976, the Florida School of the Arts, the first state-supported professional arts school, began full operation as part of St. Johns River State College, with a charter class of 51 students, and

WHEREAS, in 1977, St. Johns River State College opened its first branch campus in Orange Park and, in 1986, opened its second branch campus in St. Augustine, and

WHEREAS, in 1997, Senate Bill 1688 authorized all community colleges to offer workforce development programs, opening the door for St. Johns River State College to become a fully comprehensive community college, and

WHEREAS, in 2004, the Thrasher-Horne Center opened on the Orange Park campus to host art exhibits, theatrical performances, community events, and business conferences, and

WHEREAS, in 2010, St. Johns River State College was granted approval to offer its first baccalaureate degrees by the State Board of Education and the Southern Association of Colleges and Schools Commission on Colleges, and

WHEREAS, with this approval, the college was elevated from a Level I to a Level II accredited institution and changed its name to St. Johns River State College to better reflect this status, and

WHEREAS, St. Johns River State College continues its comprehensive and educational role by expanding its offerings in academic, workforce development, and adult education areas, as well as community education to better serve area residents, NOW, THEREFORE,

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

That February 25, 2018, is recognized as "St. Johns River State College Day," and the college is celebrated for its 60th anniversary as an outstanding institution of higher education focused on student success.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Joe H. Pickens, J.D., president of St. Johns River State College, as a tangible token of the sentiments expressed herein.

—was introduced, read, and adopted by publication.

MOMENT OF SILENCE

At the request of the President, the Senate observed a moment of silence following a video honoring the 14 students and 3 teachers whose lives were lost on February 14 at Marjory Stoneman Douglas High School in Parkland, Florida.

BILLS ON THIRD READING

CS for HB 85—A bill to be entitled An act relating to voter registration list maintenance; amending s. 98.075, F.S.; authorizing the Department of State to become a member of a nongovernmental entity to verify voter registration information; establishing requirements for such membership; requiring the Department of Highway Safety and Motor Vehicles to provide specified information to the Department of State; establishing reporting requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for HB 85** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Consideration of **SB 800** was deferred.

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 read the third time by title.

On motion by Senator Baxley, **HB 193** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for CS for SB 510—A bill to be entitled An act relating to reporting of adverse incidents in planned out-of-hospital births; creating s. 456.0495, F.S.; defining the term “adverse incident”; requiring licensed physicians, certified nurse midwives, and licensed midwives to report an adverse incident and a medical summary of events to the Department of Health within a specified timeframe; requiring the department to review adverse incident reports and determine if conduct occurred that is subject to disciplinary action; requiring the appropriate regulatory board or the department to take disciplinary action under certain circumstances; requiring the department to adopt rules; requiring the department to develop a form to be used for the reporting of adverse incidents; providing an effective date.

—was read the third time by title.

On motion by Senator Young, **CS for CS for SB 510** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Bean	Book
Baxley	Benacquisto	Bracy

Bradley	Grimsley	Simmons
Brandes	Hukill	Simpson
Braynon	Hutson	Stargel
Broxson	Mayfield	Steube
Campbell	Montford	Stewart
Farmer	Passidomo	Taddeo
Flores	Perry	Thurston
Gainer	Powell	Torres
Galvano	Rader	Young
Garcia	Rodriguez	
Gibson	Rouson	

Nays—None

Consideration of **SB 162, HB 405, and CS for SB 1048** was deferred.

CS for HB 87—A bill to be entitled An act relating to public records; amending s. 98.075, F.S.; providing an exemption from public records requirements for certain information received by the Department of State from another state or the District of Columbia which is confidential or exempt pursuant to the laws of that jurisdiction; providing for release of such information to specified persons; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for HB 87** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 660—A bill to be entitled An act relating to the Florida Insurance Code exemption for nonprofit religious organizations; amending s. 624.1265, F.S.; revising criteria under which a nonprofit religious organization that facilitates the sharing of contributions among its participants for financial, physical, or medical needs is exempt from requirements of the code; revising construction; revising requirements for a notice provided by the organization; providing an effective date.

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

On motion by Senator Brandes, **SB 660**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Bracy	Campbell
Baxley	Bradley	Farmer
Bean	Brandes	Flores
Benacquisto	Braynon	Gainer
Book	Broxson	Galvano

Garcia	Perry	Steube
Gibson	Powell	Stewart
Grimsley	Rader	Taddeo
Hukill	Rodriguez	Thurston
Hutson	Rouson	Torres
Mayfield	Simmons	Young
Montford	Simpson	
Passidomo	Stargel	

Nays—None

INTRODUCTION OF FORMER SENATORS

The President recognized United States Representative Al Lawson who was present in the chamber.

Consideration of **CS for HB 55** was deferred.

SPECIAL ORDER CALENDAR

CS for SB 52—A bill to be entitled An act for the relief of Cathleen Smiley by Brevard County; providing for an appropriation to compensate Cathleen Smiley for personal injuries and damages sustained in an automobile accident caused by a Brevard County employee; providing for payment by Brevard County; providing a limitation on the payment of compensation and attorney fees; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 52**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 6515** was withdrawn from the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

On motion by Senator Mayfield—

CS for HB 6515—A bill to be entitled An act for the relief of Cathleen Smiley by Brevard County; providing for an appropriation to compensate Cathleen Smiley for personal injuries and damages sustained in an automobile accident caused by a Brevard County employee; providing for payment by Brevard County; providing a limitation on the payment of fees and costs; providing an effective date.

—a companion measure, was substituted for **CS for SB 52** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 6515** was placed on the calendar of Bills on Third Reading.

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

BILLS ON THIRD READING, continued

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 read the third time by title.

On motion by Senator Lee, **HB 405** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—4

Farmer	Garcia	Rodriguez
Taddeo		

SPECIAL ORDER CALENDAR, continued

SB 286—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 read the second time by title.

Pending further consideration of **SB 286**, pursuant to Rule 3.11(3), there being no objection, **HB 67** was withdrawn from the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Rouson—

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.

—a companion measure, was substituted for **SB 286** and read the second time by title.

Pursuant to Rule 4.19, **HB 67** was placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

The President recognized Senator Jeremy Ring who was present in the chamber.

On motion by Senator Garcia—

CS for SB 386—A bill to be entitled An act relating to consumer finance; amending s. 516.031, F.S.; revising a provision relating to the maximum delinquency charge that may be charged for consumer finance loans; amending s. 516.36, F.S.; revising a requirement relating to installment repayments for consumer finance loans; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 386** was placed on the calendar of Bills on Third Reading.

CS for SR 398—A resolution recognizing the relationship between and shared interests of the people of Taiwan and the United States and supporting these interests, as well as future opportunities for international trade between the two nations.

—was read the second time by title. On motion by Senator Bracy, **CS for SR 398** was adopted.

SB 478—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 read the second time by title.

Pending further consideration of **SB 478**, pursuant to Rule 3.11(3), there being no objection, **HB 413** was withdrawn from the Committees on Judiciary; Banking and Insurance; and Rules.

On motion by Senator Hukill—

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.

—a companion measure, was substituted for **SB 478** and read the second time by title.

Pursuant to Rule 4.19, **HB 413** was placed on the calendar of Bills on Third Reading.

CS for SB 514—A bill to be entitled An act relating to transplant of human tissue; amending s. 381.0041, F.S.; requiring the Department of Health to develop and publish an educational pamphlet which contains certain information on the risks and benefits of transplants; requiring the department to notify physicians of the availability of the pamphlet; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 514**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 429** was withdrawn from the Committees on Health Policy; Judiciary; and Rules.

On motion by Senator Young—

CS for CS for HB 429—A bill to be entitled An act relating to donation and transfer of human tissue; amending s. 381.0041, F.S.; requiring the Department of Health to develop and publish on its website an educational pamphlet relating to certain tissue transplants; requiring the educational pamphlet to include specified information relating to the risks and benefits of human cell, tissue, and cellular and tissue-based product transplants; providing an effective date.

—a companion measure, was substituted for **CS for SB 514** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 429** was placed on the calendar of Bills on Third Reading.

SB 670—A bill to be entitled An act relating to ratification of rules of the St. Johns River Water Management District; ratifying a specified rule relating to supplemental regulatory measures for the minimum flows and levels of Silver Springs, designated as an Outstanding Florida Spring under s. 373.802(4), F.S., for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any specified thresholds of likely adverse impact or increase in regulatory costs; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 670**, pursuant to Rule 3.11(3), there being no objection, **HB 7035** was withdrawn from the Committees on Environmental Preservation and Conservation; and Rules.

On motion by Senator Baxley—

HB 7035—A bill to be entitled An act relating to ratification of St. Johns River Water Management District rules; ratifying a specified rule relating to implementation of the water management district's prevention strategy to address the Silver Springs minimum flows and water levels, for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—a companion measure, was substituted for **SB 670** and read the second time by title.

Pursuant to Rule 4.19, **HB 7035** was placed on the calendar of Bills on Third Reading.

SB 760—A bill to be entitled An act relating to grounds for non-recognition of out-of-country foreign 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 read the second time by title.

Pending further consideration of **SB 760**, pursuant to Rule 3.11(3), there being no objection, **HB 623** was withdrawn from the Committees on Judiciary; Commerce and Tourism; and Rules.

On motion by Senator Bean—

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.

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

Pursuant to Rule 4.19, **HB 623** was placed on the calendar of Bills on Third Reading.

On motion by Senator Perry—

SB 1078—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for specified United States Census Bureau address information held by an agency; providing an exception to the exemption; authorizing access to other related confidential or exempt information; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1078** was placed on the calendar of Bills on Third Reading.

SB 1130—A bill to be entitled An act relating to trust funds; recreating the Land Acquisition Trust Fund within the Department of State without modification; repealing s. 20.106(5), F.S., abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1130**, pursuant to Rule 3.11(3), there being no objection, **HB 7033** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Powell—

HB 7033—A bill to be entitled An act relating to trust funds; recreating the Land Acquisition Trust Fund within the Department of State without modification; amending s. 20.106, F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1130** and read the second time by title.

Pursuant to Rule 4.19, **HB 7033** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1370** was deferred.

SB 7000—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 943.0583, F.S., relating to an exemption from public records requirements for certain criminal history records ordered expunged which are retained by the Department of Law Enforcement; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7000**, pursuant to Rule 3.11(3), there being no objection, **HB 7029** was withdrawn from the Committees on Governmental Oversight and Accountability; and Rules.

On motion by Senator Bracy—

HB 7029—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 943.0583, F.S., which provides an exemption from public record requirements for certain criminal history records ordered expunged that are retained by the Department of Law Enforcement; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7000** and read the second time by title.

Pursuant to Rule 4.19, **HB 7029** was placed on the calendar of Bills on Third Reading.

SB 7002—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 286.01141, F.S., which provides an exemption from public meetings requirements for portions of a meeting of a duly constituted criminal justice commission at which active criminal intelligence information or active criminal investigative information being considered by, or which may foreseeably come before, the commission is discussed; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 7002**, pursuant to Rule 3.11(3), there being no objection, **HB 7031** was withdrawn from the Committees on Governmental Oversight and Accountability; and Rules.

On motion by Senator Bracy—

HB 7031—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 286.01141, F.S., which provides an exemption from public meeting requirements for certain portions of meetings by a duly constituted criminal justice commission; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 7002** and read the second time by title.

Pursuant to Rule 4.19, **HB 7031** was placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

Senator Gibson recognized Senator Dwight Bullard who was present in the gallery.

MOMENT OF SILENCE

At the request of Senators Thurston and Stargel, the Senate observed a moment of silence in honor of the life of the Reverend Billy Graham, who died this day.

MOTIONS

On motion by Senator Benacquisto, the rules were waived and **SB 1370** was retained on the Special Order Calendar.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, February 21, 2018: CS for SB 52, SB 286, CS for SB 386, CS for SR 398, SB 478, CS for SB 514, SB 670, SB 760, SB 1078, SB 1130, SB 1370, SB 7000, SB 7002.

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

The Committee on Banking and Insurance recommends the following pass: SB 1454

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

The Committee on Community Affairs recommends the following pass: SB 582; SB 804; SB 1094

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 28; CS for SB 1364

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 634

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1886

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 270

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 662; CS for SB 904

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 1180; CS for SB 1262

The Committee on Ethics and Elections recommends a committee substitute for the following: CS for SB 964

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

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Finance and Tax recommends the following pass: HJR 7001 with 1 amendment

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

The Appropriations Subcommittee on Finance and Tax recommends committee substitutes for the following: SB 502; SB 926

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

COMMITTEE SUBSTITUTES

FIRST READING

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

CS for SB 270—A bill to be entitled An act relating to involuntary examination and involuntary admission of minors; amending s. 394.462, F.S.; authorizing a designated law enforcement agency to decline to transport a minor 14 years of age or younger to a receiving facility for mental health or substance abuse evaluation if the parent or guardian of the minor agrees to transport the minor to the receiving facility; amending s. 394.463, F.S.; providing circumstances under which a minor 14 years of age or younger may be taken to a receiving facility for involuntary examination; requiring an assessment by a service provider of a minor 14 years of age or younger to be initiated within 8 hours after the patient's arrival at the receiving facility; requiring a receiving facility to release a minor 14 years of age or younger to the minor's parent or guardian; providing exceptions; amending ss. 394.4599 and 790.065, F.S.; conforming cross-references; providing an effective date.

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

CS for SB 634—A bill to be entitled An act relating to residential treatment center requirements; amending s. 409.1678, F.S.; eliminating certain requirements for residential treatment centers that provide services to commercially sexually exploited children; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Stargel and Taddeo—

CS for SB 662—A bill to be entitled An act relating to protection for vulnerable investors; amending s. 415.1034, F.S.; requiring securities dealers, investment advisers, and associated persons to immediately report knowledge or suspicion of abuse, neglect, or exploitation of vulnerable adults to the Department of Children and Families' central abuse hotline; creating s. 517.34, F.S.; defining terms; authorizing dealers, investment advisers, and associated persons to delay certain transactions or disbursements if such persons reasonably believe certain exploitation of a specified adult has occurred, is occurring, has been attempted, or will be attempted; providing the basis for such reasonable belief; requiring a dealer or investment adviser to provide the Office of Financial Regulation a specified notice at certain timeframes; requiring the Financial Services Commission to adopt a form by rule; requiring the office to submit an annual report to the Governor and Legislature; providing for expiration; specifying notification requirements for dealers, investment advisers, and associated persons placing delays on transactions or disbursements; specifying the expiration of such delays; providing that such delays may be extended for a certain timeframe under certain circumstances; providing that such delays may be shortened or extended by an agency or court of competent jurisdiction; providing that delays may be terminated by dealers, investment advisers, or associated persons under certain circumstances; specifying when certain records may or must be shared with certain agencies; authorizing the Department of Children and Families to inform reporting parties on the status of an investigation; providing immunity from civil and administrative liability to dealers, investment advisers, and associated persons for certain actions based on a reasonable belief; specifying requirements for dealers and investment advisers in training their associated persons; providing construction; providing an effective date.

By the Committees on Commerce and Tourism; and Judiciary; and Senator Powell—

CS for 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.

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

CS for CS for SB 964—A bill to be entitled An act relating to voting systems; amending s. 97.021, F.S.; revising the definition of the term "marksense ballots" for purposes of the Florida Election Code; amending s. 101.151, F.S.; providing applicability of specified ballot requirements to a voter interface device; amending ss. 101.5603 and 101.56075,

F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Community Affairs; and Ethics and Elections; and Senators Steube and Brandes—

CS for CS for SB 1180—A bill to be entitled An act relating to county and municipal public officers; amending s. 112.061, F.S.; requiring that certain requests for travel authorization by county or municipal public officers be approved by the governing body of the county or municipality at a regularly scheduled meeting; specifying requirements for such requests; requiring that approved travel be posted on the county's or municipality's website for a specified timeframe; providing an exception for county constitutional officers; providing an effective date.

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

CS for CS for SB 1262—A bill to be entitled An act relating to election dates for municipal office; amending s. 100.3605, F.S.; requiring the governing body of a municipality to determine the dates on which initial and runoff elections for municipal office are held and providing options therefor; requiring counties that have established certain dates for the election of municipal officers through a special act to conduct municipal elections on specified dates; preempting to the state the authority to establish election dates for municipal elections; providing construction; amending s. 100.361, F.S.; requiring municipal recall elections to be held concurrently with municipal elections under certain conditions; repealing s. 101.75, F.S., relating to change of dates for cause in municipal elections; extending the terms of incumbent elected municipal officers until the next municipal election; providing an effective date.

By the Committee on Criminal Justice; and Senator Brandes—

CS for SB 1886—A bill to be entitled An act relating to contraband in county detention facilities; amending s. 951.22, F.S.; prohibiting introduction into or possession on the grounds of any county detention facility of any cellular telephone or other portable communication device under certain circumstances; defining the term "portable communication device"; providing criminal penalties; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

EXECUTIVE BUSINESS

EXECUTIVE APPOINTMENTS WITHDRAWN

The Honorable Joe Negron
President, The Florida Senate
The Capitol, Suite 409
Tallahassee, FL 32399

February 20, 2018

Dear President Negron:

Please be advised that today I am withdrawing the following gubernatorial appointments which are subject to Senate Confirmation but have not yet been confirmed:

Florida Building Commission

Earle J. Carlson

Regulatory Council of Community Association Managers:

Dawn M. Warren

Please return all documentation of these appointments.

Sincerely,

Rick Scott
Governor

Cc: Kenneth W. Detzner, Secretary of State

The Honorable Rick Scott
Governor
State of Florida
PL05, The Capitol
400 South Monroe Street
Tallahassee, FL 32399-0001

February 21, 2018

Dear Governor Scott:

On behalf of the Florida Senate and pursuant to Senate Rule 12.8, attached is all evidence of the following gubernatorial appointments withdrawn as outlined in your letter dated February 20, 2018.

Florida Building Commission: Earle J. Carlson

Regulatory Council of Community Association Managers:
Dawn M. Warren

Please let me know of any questions.

Regards,

Debbie Brown
Secretary

Cc: The Honorable Keith Perry, Chair
Senate Committee on Ethics and Elections
Kenneth W. Detzner, Secretary of State

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 HB 155 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Magar, Killebrew, Pigman, Watson, C.—

HB 155—A bill to be entitled An act relating to state symbols; amending s. 15.0386, F.S.; abrogating the scheduled repeal of the state saltwater reptile designation; amending s. 15.0526, F.S.; abrogating the scheduled repeal of the state horse designation; creating s. 15.0527, F.S.; designating the Florida Cracker Cattle as the official state heritage cattle breed; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 333, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Criminal Justice Subcommittee and Representative(s) Burgess, Ahern, Brown, Byrd, Donalds, Gruters, Hahnfeldt, Harrell, Killebrew, Metz, Olszewski, Payne, Peters, Pigman, Ponder, Raschein, Willhite—

CS for HB 333—A bill to be entitled An act relating to minimum officer qualifications; amending s. 943.10, F.S.; defining the term "special operations forces"; amending s. 943.13, F.S.; exempting certain applicants from completing a basic recruit training program approved by the Criminal Justice Standards and Training Commission under specified conditions; amending s. 943.131, F.S.; requiring an employing agency, training center, or criminal justice selection center to verify and document that certain applicants have served in the special operations forces for a minimum period and completed certain training if they seek an exemption from the commission-approved basic recruit training

program; requiring the employing agency, training center, or selection center to submit the documentation to the commission; reenacting ss. 626.989(7), 943.133(1) and (6), and 943.1395(3), (9), and (10), F.S., relating to investigations by the Division of Investigative and Forensic Services, the responsibilities of certain employing entities, and certification for certain employment or appointment, respectively, to incorporate changes made by the act; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 365 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Criminal Justice Subcommittee and Representative(s) Gonzalez, Beshears—

CS for HB 365—A bill to be entitled An act relating to standards for correctional officers; amending s. 943.13, F.S.; reducing the minimum age for employment as a correctional officer from 19 years of age to 18 years of age; creating s. 944.145, F.S.; prohibiting a correctional officer who is under 19 years of age from supervising inmates; authorizing such an officer to perform all other tasks of specified correctional officers; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 411 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee and Representative(s) Clemons, Gruters—

CS for HB 411—A bill to be entitled An act relating to public records and public meetings; amending s. 119.071, F.S.; providing an exemption from public records requirements for firesafety system plans held by an agency; amending s. 281.301, F.S.; providing an exemption from public records and public meetings requirements for information relating to firesafety systems for certain properties and meetings relating to such systems and information; amending s. 286.0113, F.S.; providing an exemption from public meetings requirements for portions of meetings that would reveal firesafety system plans held by an agency; providing for retroactive application; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 417, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

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

CS for HB 417—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records

requirements for certain identifying and location information of child advocacy center personnel or child protection team members, and their spouses and children; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 449 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Stafford, Hardemon, Mercado—

HB 449—A bill to be entitled An act relating to children's initiatives; amending s. 409.147, F.S.; creating the Tampa Sulphur Springs Neighborhood of Promise Success Zone within the City of Tampa in Hillsborough County and the Overtown Children and Youth Coalition within the City of Miami in Miami-Dade County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; providing legislative intent; requiring the corporations to be subject to public records and public meeting requirements and to requirements for the procurement of commodities and contractual services; providing that the success zone and the coalition are designed to encompass areas large enough to include certain components but small enough to allow programs and services to reach participants; providing implementation of the coalition and the success zone; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 483, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Commerce Committee, Insurance & Banking Subcommittee and Representative(s) Yarborough, Edwards-Walpole—

CS for CS for HB 483—A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; revising the types, value, and frequency of advertising and promotional gifts that licensed insurers or their agents may give to insureds, prospective insureds, or others; authorizing such insurers and agents to make specified charitable contributions on behalf of insureds or prospective insureds; prohibiting title insurance agents, title insurance agencies, or title insurers from giving insureds, prospective insureds, or others any article of merchandise in excess of a specified value; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 551 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Portia Palmer, Clerk

By Health Innovation Subcommittee, Oversight, Transparency & Administration Subcommittee and Representative(s) Burton, Magar—

CS for CS for HB 551—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for building plans, blueprints, schematic drawings, diagrams, and other construction documents received and held by certain agencies which depict the internal layout or structural elements of certain health care facilities; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 577 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Silvers, Duran, Brown, Davis, Donalds, Fischer, Mercado, Newton, Williams—

HB 577—A bill to be entitled An act relating to high school graduation requirements; amending s. 1003.4282, F.S.; authorizing the use of credits earned upon completion of a registered apprenticeship or pre-apprenticeship to satisfy specified high school graduation credit requirements; requiring that the State Board of Education approve and identify apprenticeship and preapprenticeship programs for such purpose; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Pre-K - 12 Education; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 631, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Civil Justice & Claims Subcommittee and Representative(s) Edwards-Walpole—

CS for HB 631—A bill to be entitled An act relating to the possession of real property; amending s. 66.021, F.S.; authorizing a person with a superior right to possession of real property to recover possession by ejectment; declaring that circuit courts have exclusive jurisdiction; providing that a plaintiff is not required to provide any presuit notice or demand to a defendant; requiring that copies of instruments be attached to a complaint or answer under certain circumstances; requiring a statement to list certain details; providing for construction; amending s. 82.01, F.S.; redefining the terms "unlawful entry" and "forcible entry"; defining the terms "real property," "record titleholder," and "unlawful detention"; amending s. 82.02, F.S.; exempting possession of real property under part II of ch. 83, F.S., and under chs. 513 and 723, F.S.; amending s. 82.03, F.S.; providing that a person entitled to possession of real property has a cause of action to regain possession from another person who obtained possession of real property by forcible entry, unlawful entry, or unlawful detainer; providing that a person entitled to possession is not required to give a defendant presuit notice; requiring the court to award the plaintiff extra damages if a defendant acted in a willful and knowingly wrongful manner; authorizing bifurcation of actions for possession and damages; requiring that an action be brought by summary procedure; requiring the court to advance the cause on the calendar; renumbering and amending s. 82.045, F.S.; conforming provisions to changes made by the act; amending s. 82.04, F.S.; requiring that the court determine the right of possession and damages; prohibiting the court from determining question of title unless necessary; amending s. 82.05, F.S.; requiring that the summons and complaint be attached to the real property after two unsuccessful attempts to serve a defendant; requiring a plaintiff to provide the clerk of the court with prestamped envelopes and additional copies of the summons and com-

plaint if the defendant is served by attaching the summons and complaint to the real property; requiring the clerk to immediately mail copies of the summons and complaint and note the fact of mailing in the docket; specifying that service is effective on the date of posting or mailing; requiring that 5 days elapse after the date of service before the entry of a judgment; amending s. 82.091, F.S.; providing requirements after a judgment is entered for the plaintiff or the defendant; amending s. 82.101, F.S.; adding quiet title to the types of future actions for which a judgment is not conclusive as to certain facts; providing that the judgment may be superseded by a subsequent judgment; creating s. 163.035, F.S.; prohibiting a local government from enacting or enforcing an ordinance or rule based on the customary use of property; providing an exception; repealing s. 82.061, F.S., relating to service of process; repealing s. 82.071, F.S., relating to evidence at trial as to damages; repealing s. 82.081, F.S., relating to trial verdict forms; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 725, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee, Careers & Competition Subcommittee, Local, Federal & Veterans Affairs Subcommittee and Representative(s) Williamson, Edwards-Walpole, Killebrew—

CS for CS for CS for HB 725—A bill to be entitled An act relating to permit fees; amending ss. 125.56 and 166.222, F.S.; requiring the governing bodies of counties and municipalities to post their permit and inspection fee schedules and building permit and inspection utilization reports on their websites; amending s. 553.80, F.S.; requiring the governing bodies of local governments to post their building permit and inspection utilization reports on their websites by a specified date; providing requirements for such governing bodies; providing reporting requirements; providing an effective date.

—was referred to the Committees on Community Affairs; 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 CS/HB 755 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Portia Palmer, Clerk

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

CS for HB 755—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain information relating to the Nationwide Public Safety Broadband Network held by an agency; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 855 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Brodeur, Santiago—

HB 855—A bill to be entitled An act relating to genetic information used for insurance; amending s. 627.4301, F.S.; providing definitions; prohibiting the use of genetic information in the issuance of life insurance policies, long-term care policies, and disability income policies; providing applicability; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 869 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Plasencia—

HB 869—A bill to be entitled An act relating to Ranger Drainage District, Orange County; amending ch. 99-453, Laws of Florida, as amended; revising district boundaries; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1009 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Brown, DuBose, Edwards-Walpole, Hardemon, Lee, Mercado, Pritchett, Russell, Smith, Stafford, Watson, B., Watson, C.—

HB 1009—A bill to be entitled An act relating to the Closing the Gap grant program; amending s. 381.7355, F.S.; providing an additional priority area for Closing the Gap grant proposals that addresses racial and ethnic disparities in morbidity and mortality rates relating to Lupus; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1011 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Commerce Committee, Insurance & Banking Subcommittee and Representative(s) Cruz, Fine—

CS for CS for HB 1011—A bill to be entitled An act relating to homeowner's insurance policy disclosures; amending s. 627.7011, F.S.; providing and revising homeowner's insurance policy disclosure requirements; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1013 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Nuñez, Fitzenhagen, Burgess, Porter, Raschein, Willhite—

HB 1013—A bill to be entitled An act relating to daylight saving time; providing a short title; providing legislative intent regarding the State of Florida and its political subdivisions observing daylight saving time year-round under certain conditions; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1071 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Ahern—

CS for HB 1071—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; amending ch. 11050, Laws of Florida (1925), as amended; removing a restriction against carnivals and shows on certain lands conveyed from the state to the city; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1089 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Rodrigues—

HB 1089—A bill to be entitled An act relating to the East Mulloch Drainage District, Lee County; providing an exception to general law; creating the East Mulloch Water Control District as a dependent special district; providing that the charter of the district shall be subject to amendment or repeal by the county commission; providing the district charter; providing boundaries; providing powers; providing for the county commission to appoint the board of supervisors; providing for staggered terms; providing authority and duties of the board; providing for compensation; providing for assessments by the district; repealing chs. 63-930, 65-912, 83-443, 83-455, 84-464, 86-425, and 88-480, Laws of Florida; dissolving the East Mulloch Drainage District; transferring all assets and liabilities of the East Mulloch Drainage District to the East Mulloch Water Control District; providing that liabilities of the district are not liabilities of the county; providing construction; providing that the act shall take precedence over any conflicting law to the extent of such conflict; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1093 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Willhite—

HB 1093—A bill to be entitled An act relating to the Loxahatchee Groves Water Control District, Palm Beach County; providing that the Loxahatchee Groves Water Control District, an independent special

district, shall become a dependent district of the Town of Loxahatchee Groves; providing boundaries; providing that members of the town council shall assume the offices of the board of supervisors of said district; providing for dissolution of the Loxahatchee Groves Water Control District as an independent special district; requiring a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1137 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee, Careers & Competition Subcommittee and Representative(s) Peters, Ahern—

CS for CS for HB 1137—A bill to be entitled An act relating to the Pinellas County Construction Licensing Board; amending ch. 75-489, Laws of Florida, as amended; revising the composition of the Pinellas County Construction Licensing Board; revising the terms of the board members; providing for termination of members; providing for the election and terms of a chair and vice chair; providing that board staff are employees of Pinellas County; providing that the board is a dependent agency of the Board of County Commissioners of Pinellas County; authorizing the board of county commissioners to adopt rules; requiring the board to provide an annual report on finances and administrative activities; subjecting the board to periodic audits; requiring members of the board to file financial disclosure statements; specifying the board is eligible for state funding to support its operations during transition to the county; providing for dissolution of board upon approval at referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1139 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Cruz, Harrison, Asencio, Jenne, Smith, Willhite—

HB 1139—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to increase the amount of pension received by a widow or widower should a member lose his or her life or later die from injuries or causes occurring while in the discharge of duties; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1141 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) White—

CS for HB 1141—A bill to be entitled An act relating to the Firefighters' Relief and Pension Fund of the City of Pensacola, Escambia County; amending ch. 21483, Laws of Florida (1941), as amended; creating a defined contribution plan as required by general law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1239 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Metz—

CS for HB 1239—A bill to be entitled An act relating to the South Lake County Hospital District, Lake County; prohibiting the district from incurring certain additional obligations or indebtedness; requiring the district to wind down its affairs, liquidate its assets, and satisfy its obligations and indebtedness by a specified date; providing for disposition of certain taxes collected; repealing ch. 2001-290, Laws of Florida; dissolving the district on a specified date; transferring certain district responsibilities and assets and liabilities to the Board of County Commissioners of Lake County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 6033 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Ponder—

HB 6033—A bill to be entitled An act relating to Volunteer Florida, Inc.; amending s. 14.29, F.S.; abrogating the future repeal date of the not for profit direct-support organization established by the Florida Commission on Community Service; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 6059 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Plakon—

HB 6059—A bill to be entitled An act relating to the Department of Corrections' direct-support organization; amending s. 944.802, F.S.; abrogating the scheduled repeal of provisions governing a direct-support organization that is permitted use of fixed properties and facilities of the state correctional system by the Department of Corrections; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 7017, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Sullivan, Fant—

CS for HB 7017—A bill to be entitled An act relating to child exploitation; amending s. 16.56, F.S.; revising the offenses that may be investigated and prosecuted by the Office of Statewide Prosecution; amending s. 39.01, F.S.; conforming provisions to changes made by the act; amending s. 39.0132, F.S.; revising the types of offenses committed by a child in the custody of the Department of Children and Families which require the department to provide notice to the school superintendent; conforming provisions to changes made by the act; amending s. 39.0139, F.S.; revising the type of offenses that create a rebuttable presumption of detriment for judicial determinations related to contact between a parent or caregiver and certain child victims; conforming provisions to changes made by the act; amending s. 39.301, F.S.; conforming provisions to changes made by the act; amending s. 39.509, F.S.; revising the offenses that may be considered in determining whether grandparental visitation is in the child's best interest; conforming provisions to changes made by the act; amending s. 90.404, F.S.; conforming provisions to changes made by the act; amending s. 92.56, F.S.; revising the offenses for which a criminal defendant may seek an order of disclosure for certain confidential and exempt court records, for which the state may use a pseudonym instead of the victim's name, and for which a publication or broadcast of trial testimony may not include certain victim identifying information; conforming provisions to changes made by the act; amending ss. 92.561, 92.565, and 435.04, F.S.; conforming provisions to changes made by the act; amending s. 435.07, F.S.; revising the offenses that disqualify certain child care personnel from specified employment; conforming provisions to changes made by the act; amending s. 456.074, F.S.; revising the offenses for which the licenses of massage therapists and massage establishments must be suspended; conforming provisions to changes made by the act; amending ss. 480.041 and 480.043, F.S.; revising the offenses for which applications for licensure as a massage therapist or massage establishment must be denied; conforming provisions to changes made by the act; amending s. 743.067, F.S.; revising the offenses for which an unaccompanied homeless youth may consent to specified treatment, care, and examination; conforming provisions to changes made by the act; amending ss. 772.102 and 775.082, F.S.; conforming provisions to changes made by the act; amending s. 775.0847, F.S.; revising definitions; conforming provisions to changes made by the act; amending ss. 775.0877, 775.21, 775.215, 784.046, and 794.0115, F.S.; conforming provisions to changes made by the act; amending s. 794.024, F.S.; revising the offenses for which certain victim information may not be disclosed by public employees or officers; providing penalties; conforming provisions to changes made by the act; amending s. 794.056, F.S.; conforming provisions to changes made by the act; creating s. 794.10, F.S.; providing definitions; authorizing subpoenas in certain investigations of sexual offenses involving child victims and specifying requirements therefor; providing for specified reimbursement of witnesses; authorizing certain motions; requiring nondisclosure of the existence or contents of the subpoenas in certain circumstances; providing exceptions to such nondisclosure requirement; requiring certain notice to be provided in a subpoena that contains a nondisclosure requirement; exempting certain records, objects, and other information from production; providing for the return of records, objects, and other information produced; specifying time periods within which records, objects, and other information must be returned; providing for service and enforcement of the subpoenas; providing penalties for a violation of the subpoena or nondisclosure requirement; providing immunity for certain persons complying with the subpoenas in certain circumstances; providing for judicial review and extension of such nondisclosure requirement and specifying requirements therefor; amending s. 796.001, F.S.; conforming provisions to changes made by the act; repealing s. 827.071, F.S., relating to sexual performance by a

child; amending s. 847.001, F.S.; revising definitions; creating s. 847.003, F.S.; providing definitions; prohibiting a person from using a child in a sexual performance or promoting a sexual performance by a child; providing penalties; amending s. 847.0135, F.S.; providing for separate offenses of computer pornography and child exploitation under certain circumstances; conforming provisions to changes made by the act; amending s. 847.01357, F.S.; conforming provisions to changes made by the act; amending s. 847.0137, F.S.; revising and providing definitions; prohibiting a person from possessing, with the intent to promote, child pornography; prohibiting a person from knowingly possessing, controlling, or intentionally viewing child pornography; providing penalties; providing application and construction; providing for separate offenses of transmission of child pornography under certain circumstances; amending ss. 856.022, 895.02, 905.34, and 934.07, F.S.; conforming provisions to changes made by the act; amending s. 938.085, F.S.; revising the offenses for which a surcharge to be deposited into the Rape Crisis Program Trust Fund shall be imposed; conforming provisions to changes made by the act; amending s. 938.10, F.S.; revising the offenses for which an additional court cost shall be imposed; conforming provisions to changes made by the act; amending ss. 943.0435, 943.04354, 943.0585, 943.059, 944.606, 944.607, and 947.1405, F.S.; conforming provisions to changes made by the act; amending ss. 948.03, and 948.04, F.S.; conforming provisions to changes made by the act; amending s. 948.06, F.S.; revising the offenses that constitute a qualifying offense for purposes relating to a violation of probation or community control; conforming provisions to changes made by the act; amending ss. 948.062, 948.101, 948.30, 948.32, 960.03, and 960.197, F.S.; conforming provisions to changes made by the act; amending s. 985.04, F.S.; revising the types of offenses committed by a child in certain custody or supervision of the Department of Juvenile Justice which require the department to provide notice to the school superintendent; conforming provisions to changes made by the act; amending ss. 985.475 and 1012.315, F.S.; conforming provisions to changes made by the act; amending s. 921.0022, F.S.; ranking the offense of solicitation of a child via a computer service while misrepresenting one's age on the offense severity ranking chart; conforming provisions to changes made by the act; providing a directive to the Division of Law Revision and Information; reenacting ss. 39.402(9)(a), 39.506(6), 39.509(6)(b), 39.521(3)(d), 39.806(1)(d) and (n), 63.089(4)(b), 63.092(3), 68.07(3)(i) and (6), 92.55(1)(b), 92.605(1)(b), 322.141(3), 381.004(2)(h), 384.29(1)(c) and (3), 390.01114(2)(b) and (e), 393.067(4)(h), (7), and (9), 394.495(4)(p), 394.9125(2)(a), 397.4872(2)(a) and (c), 435.07(4)(b), 507.07(9), 655.50(3)(g), 741.313(1)(e), 775.084(4)(j), 775.0862(2), 775.13(4)(e) and (f), 775.21(3)(b), (5)(d), (6)(f), and (10)(c), 775.24(2), 775.25, 775.261(3)(b), 784.049(2)(d), 794.011(2)(a), (3), (4), and (5), 794.03, 794.075(1), 847.002(1)(b), (2), and (3), 847.012(3)(b), 847.01357(3), 847.0138(2) and (3), 896.101(2)(g) and (10), 903.0351(1)(b) and (c), 903.046(2)(m), 905.34(3), 921.0022(3)(g), 921.141(6)(o), 943.0435(3), (4)(a), and (5), 943.0436(2), 943.325(2)(g), 944.11(2), 944.607(4)(a) and (9), 944.608(7), 944.609(4), 944.70(1), 947.13(1)(f), 947.1405(2)(c) and (12), 947.141(1), (2), and (7), 948.013(2)(b), 948.06(8)(b) and (d), 948.063, 948.064(4), 948.08(7)(a), 948.12(3), 948.30(3)(b) and (4), 948.31, 951.27, 960.003(2)(a) and (b) and (3)(a), 960.065(5), 984.03(2), 985.0301(5)(c), 985.04(6)(b), 985.441(1)(c), 985.4815(9), and 1012.467(2)(g), F.S., relating to placement in a shelter, arraignment hearings, grandparents rights, disposition hearings, grounds for termination of parental rights, proceedings to terminate parental rights pending adoption, report to the court of intended placement by an adoption entity, change of name, proceedings involving certain victims or witnesses, production of certain records, color or markings of certain licenses or identification cards, HIV testing, confidentiality, the Parental Notice of Abortion Act, facility licensure, the child and adolescent mental health system of care, authority of a State Attorney to refer a person for civil commitment, exemption from disqualification, exemptions from disqualification, violations by movers or moving brokers, Florida Control of Money Laundering and Terrorist Financing in Financial Institutions Act, unlawful action against employees seeking protection, violent career criminals, habitual felony offenders, and habitual violent felony offenders, sexual offenses against students by authority figures, registration of convicted felons, the Florida Sexual Predators Act, duty of the court to uphold laws governing sexual predators and sexual offenders, prosecutions for acts or

omissions, career offender registration, sexual cyberharassment, sexual battery, publishing or broadcasting information identifying sexual offense victims, sexual predators and erectile dysfunction drugs, child pornography prosecutions, sale or distribution of harmful materials to minors or using minors in production, civil remedies for exploited children, transmission of material harmful to minors to a minor by electronic devices, the Florida Money Laundering Act, restrictions on pretrial release pending probation-violation hearings or community-control-violation hearings, purposes of and criteria for bail determination, the powers and duties of a statewide grand jury, the offense severity ranking chart of the Criminal Punishment Code, sentence of death or life imprisonment for capital felonies, sexual offenders required to register with the Department of Law Enforcement, duty of the court to uphold laws governing sexual predators and sexual offenders, DNA database, regulation by the Department of Corrections of the admission of books, notification to the Department of Law Enforcement of information on sexual offenders, notification to the Department of Law Enforcement concerning career offenders, career offenders and notification upon release, conditions for release from incarceration, powers and duties of the Florida Commission on Offender Review, conditional release program, violations of conditional release, control release, or conditional medical release or addiction-recovery supervision, administrative probation, violation of probation or community control, violations of probation or community control by designated sexual offenders and predators, notification of status as a violent felony offender of special concern, pretrial intervention program, intensive supervision for postprison release of violent offenders, additional terms and conditions of probation or community control for certain sex offenses, evaluation and treatment of sexual predators and offenders on probation or community control, blood tests of inmates, hepatitis and HIV testing for persons charged with or alleged by petition for delinquency to have committed certain offenses, eligibility for victim assistance awards, definitions relating to children and families in need of services, jurisdiction, oaths, records, and confidential information, commitment, notification to Department of Law Enforcement of information on juvenile sexual offenders, and contractors permitted access to school grounds, respectively, to incorporate the amendments made by the act in cross-references to amended provisions; providing a directive to the Division of Law Revision and Information; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7019 by the required constitutional two-thirds vote of the members voting and requests concurrence of the Senate.

Portia Palmer, Clerk

By Criminal Justice Subcommittee and Representative(s) Sullivan—

HB 7019—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding the exemption from public records requirements for any information in a videotaped statement of a minor who is alleged to be or who is a victim of sexual battery, lewd acts, or other sexual misconduct; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7021 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Rules & Policy Committee and Representative(s) Harrison—

HB 7021—A bill to be entitled An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2018 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2018 shall be effective immediately upon publication; providing that general laws enacted during the June 7-9, 2017, special session and prior thereto and not included in the Florida Statutes 2018 are repealed; providing that general laws enacted after the June 7-9, 2017, special session are not repealed by this adoption act; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7023, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Rules & Policy Committee and Representative(s) Harrison—

HB 7023—A bill to be entitled An act relating to the Florida Statutes; amending ss. 14.20195, 14.31, 27.341, 27.405, 27.511, 39.3035, 106.34, 119.071, 119.092, 121.091, 197.3632, 197.502, 199.303, 206.8745, 213.755, 215.442, 215.444, 215.4725, 252.357, 252.358, 258.501, 261.04, 261.20, 284.02, 286.29, 288.0001, 288.101, 288.1258, 315.03, 320.833, 320.865, 331.3051, 332.007, 344.26, 364.386, 366.92, 373.036, 373.042, 373.470, 373.709, 376.303, 379.2495, 381.986, 381.987, 394.75, 400.6045, 403.061, 403.064, 408.0611, 408.062, 408.811, 408.9091, 409.1754, 409.906, 409.913, 420.609, 429.52, 429.75, 455.219, 456.013, 456.017, 456.041, 462.18, 471.003, 475.451, 475.611, 477.014, 487.2071, 489.529, 490.012, 497.140, 497.282, 497.468, 497.552, 497.553, 497.608, 499.012, 499.01211, 509.049, 520.68, 554.115, 559.11, 626.9541, 627.066, 627.285, 627.748, 663.532, 741.0306, 744.331, 796.04, 817.311, 817.625, 876.24, 905.37, 943.0311, 944.48, 948.03, 1000.06, 1001.215, 1002.61, 1003.4282, 1003.491, 1003.621, 1004.4473, 1006.735, 1007.01, 1011.67, 1011.71, and 1013.64, F.S.; and reenacting ss. 1001.42 and 1008.34, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7025 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Rules & Policy Committee and Representative(s) Harrison—

HB 7025—A bill to be entitled An act relating to the Florida Statutes; repealing ss. 39.0011, 161.143(5)(e), 193.1552, 216.292(8), 218.417, 218.418, 218.421, 218.422, 259.105(3)(m), 272.136(7), 296.37(3), 322.03(1)(c), 327.4105, 328.76(1)(e) and (f), 339.135(4)(i) and (j) and (5)(b) and (c), 375.075(4), 380.507(2)(h), 393.065(8), 403.7095(3), 408.0436, 420.5087(10), 420.9072(10), 430.82, 663.01(9), 663.041, 893.055(17), 1008.34(7), and 1012.341, F.S., and amending ss. 212.08(7)(jjj) and 394.462, F.S., to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from the 2018 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending ss. 39.001, 409.1666, and 663.532, F.S., to conform cross-references; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7027 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Rules & Policy Committee and Representative(s) Harrison—

HB 7027—A bill to be entitled An act relating to the Florida Statutes; amending ss. 20.2551, 101.5614, 122.34, 201.02, 394.907, 395.602, 395.603, and 395.604, F.S., to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, codified as section 11.242(5)(j), Florida Statutes, to prepare a reviser's bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority; amending ss. 101.6952, 102.141, and 102.166, F.S., to conform cross-references; providing an effective date.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7037, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee and Representative(s) Caldwell—

HB 7037—A bill to be entitled An act relating to election dates for municipal office; amending s. 100.3605, F.S.; requiring the governing body of a municipality to determine the dates on which an initial and runoff election for municipal office are held and providing options therefor; requiring counties that have established certain dates for the election of municipal officers through a special act to conduct municipal elections on specified dates; preempting to the state the authority to establish election dates for municipal elections; providing construction; amending s. 100.361, F.S.; requiring municipal recall elections to be held concurrently with municipal elections under certain conditions; repealing s. 101.75, F.S., relating to change of dates for cause in municipal elections; extending the terms of incumbent elected municipal officers until the next municipal election; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7041 and requests the concurrence of the Senate.

Portia Palmer, Clerk

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

HB 7041—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 an exemption from public records and public meetings requirements for certain records held by, and meetings conducted by, the Commission on Ethics, a Commission on Ethics and Public Trust established by any county or any municipality, or by any county or municipality that has established a local investigatory process to enforce more stringent standards of conduct and disclosure requirements than required by law; removing the scheduled repeal of the exemption; providing an effective date.

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

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7059, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Health & Human Services Committee and Representative(s) Cummings—

HB 7059—A bill to be entitled An act relating to optometry; amending s. 463.006, F.S.; requiring an applicant for licensure as an optometrist to submit proof to the Department of Health that she or he meets certain requirements; removing a requirement that the department examine an applicant who meets specified requirements for licensure and certification; requiring the Board of Optometry to approve a licensure examination that meets certain requirements; clarifying that the board may offer a practical examination in addition to a written examination under certain circumstances; providing that an applicant must pass the licensure examination within a specified timeframe as a condition of licensure as an optometrist and certification to administer and prescribe ocular pharmaceutical agents; amending s. 463.0057, F.S.; conforming a cross-reference; providing an effective date.

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

RETURNING MESSAGES — FINAL ACTION

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed SB 472.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of February 8, February 14, and February 20 were corrected and approved.

CO-INTRODUCERS

Senators Montford—SB 7016; Powell—SB 196; Rader—SB 196, SB 456; Thurston—SB 196

ADJOURNMENT

On motion by Senator Benacquisto, the Senate adjourned at 11:11 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Tuesday, February 27 or upon call of the President.

JOURNAL OF THE SENATE

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February 21, 2018

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PP — Proposal Passed
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FR — First Reading
MO — Motion
RC — Reference Change

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