



# Journal of the Senate

Number 24—Regular Session

Friday, March 9, 2018

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## CALL TO ORDER

The Senate was called to order by President Negron at 1:00 p.m. A quorum present—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
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

## PRAYER

The following prayer was offered by Dr. Evon Horton, Senior Pastor, Brownsville Assembly of God, Pensacola:

O Lord, on this day of the session for the Senate of the State of Florida, I ask for your mercy and grace. We are still in great need of your help and divine intervention. I thank you, O Lord, for your protection over our schools. Especially, O Lord, bring safety to our children and teachers, and watch over them. I pray you station your mighty angels in the hallways, in the classrooms, and the lunchrooms. I pray you give them mighty swords to protect our children and teachers in the gymnasiums and the playgrounds. I thank you now for the safety over our children and in our Florida schools.

I also pray for protection for our Senators, our Congressmen, and our Governor. I pray for you to watch over our judicial system and law enforcement officers. I pray specifically for communities that are

struggling, such as Brownsville, who need the help of our brothers and sisters across this state. I know, Lord, there are other needy communities, but I pray we continue to watch for each other, care for each other, and have godly compassion for each other.

I thank you, Lord, for the privilege of residing in this great nation and the great State of Florida. We don't take it for granted and pray for your continued blessings upon each one of us. I pray for the legislators and staff here in our Capitol, that you will continue to direct and guide them to make a difference with the authority, responsibility, and power they have within their hands. I pray, Lord, as we approach Passover and Easter, we will realize you are our God and creator and we come to worship our king.

I thank you, Lord, for the relationship I have with my king. I am thankful, O Lord, for my mentor, Dr. Samuel H. Proctor, an African-American who mentored Dr. Martin Luther King, Jr. Sam Proctor taught me to understand my king, and preached that God was in his heart, his life, and was a fire shut up in his bones. We all need to understand who our king is. The Bible says, "You are the king of kings and the Lord of lords, king of the ages, and king of heaven, you are the king of glory." You are my king.

The Bible says, "The heavens declare the glory of God." The earth shows your handiwork; you are enduringly strong, entirely sincere, immortally graceful, imperially powerful, impartially merciful. You are my king—you are unique, unparalleled, and unprecedented—the loftiest idea in literature, highest personality in philosophy. You are able to supply all my needs, supply strength for the weak, guard and guide, heal the sick, forgive the sinner, deliver the captives, and defend the feeble. You are my king.

I wish I could describe you, O God, to everyone here today, but you are indescribable, incomprehensible, invincible, and irresistible. We cannot explain what a great and wonderful God you are, my king. You are the wellspring of wisdom, the doorway of deliverance, the pathway of peace, the roadway of righteousness, the highway of holiness, the gateway of glory, captain of the conquerors, head of the heroes, leader of the legislators, governor of the governors, prince of the princes, king of kings, and Lord of lords. But Lord, I ask—I pray—that everyone here would know you because you are my king. For thine is the kingdom and the power and the glory, forever. When we are done with all the forevers, then I ask this in Jesus' name, my king. Amen.

## PLEDGE

Senate Pages, Shannon Harner of Pinellas Park; Ethan Nunn of Valrico; and Holden Margheim of DeBary, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Michael Forsthoefel of Tallahassee, sponsored by Senator Montford, as the doctor of the day. Dr. Forsthoefel specializes in internal medicine.

## SENATOR BENACQUISTO PRESIDING

*For Term  
Ending*REPORTS OF COMMITTEE RELATING TO  
EXECUTIVE BUSINESS*Office and Appointment*Secretary of Environmental Protection  
Appointee: Valenstein, NoahPleasure of  
Governor  
and CabinetThe Honorable Joe Negron  
President, The Florida Senate  
Suite 409, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

March 9, 2018

Executive Director, Fish and Wildlife Conservation  
Commission

Appointee: Sutton, Phillip Eric

Pleasure of  
Commission

Dear President Negron:

The following executive appointment was referred to the Senate Appropriations Subcommittee on General Government, the Senate Committee on Governmental Oversight and Accountability, and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

The following executive appointment was referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*For Term  
Ending**Office and Appointment*Executive Director, Agency for State Technology  
Appointee: Larson, EricPleasure of  
Governor*Office and Appointment**For Term  
Ending*Secretary of Management Services  
Appointee: Rock, Erin Marie-GeraghtyPleasure of  
Governor

The following executive appointment was referred to the Senate Appropriations Subcommittee on General Government, the Senate Committee on Regulated Industries, and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

The following executive appointment was referred to the Senate Committee on Regulated Industries and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*For Term  
Ending**Office and Appointment*Secretary of Business and Professional Regulation  
Appointee: Zachem, JonathanPleasure of  
Governor*Office and Appointment**For Term  
Ending*Secretary of the Department of the Lottery  
Appointee: Poppell, James "Jim" W.Pleasure of  
Governor

The following executive appointments were referred to the Senate Appropriations Subcommittee on the Environment and Natural Resources, the Senate Committee on Environmental Preservation and Conservation, and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

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

*For Term  
Ending**Office and Appointment*

Florida Public Service Commission

Appointees: Clark, Gary F.  
Fay, Andrew  
Graham, Art01/01/2019  
01/01/2022  
01/01/2022*Office and Appointment**For Term  
Ending*Executive Director of South Florida Water Management  
District

Appointee: Marks, Ernie, III

Pleasure of  
the BoardExecutive Director of Suwannee River Water Manage-  
ment District

Appointee: Thomas, Hugh L.

Pleasure of  
the Board

The following executive appointment was referred to the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development, the Senate Committee on Transportation, and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

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

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2018 Regular Session; and

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

*Office and Appointment**For Term  
Ending*Secretary of Transportation  
Appointee: Dew, Michael J.Pleasure of  
Governor

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

Respectfully submitted,  
Keith Perry, Chair

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

The vote was:

Yeas—35

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

Nays—None

**THE PRESIDENT PRESIDING**

**SPECIAL RECOGNITION OF SENATOR GRIMSLEY**

**SPECIAL PRESENTATION**

A video tribute was played honoring Senator Grimsley.

**REMARKS**

On motion by Senator Braynon, by two-thirds vote, the following remarks were ordered spread upon the Journal:

**Senator Mayfield:** Thank you, Mr. President. Denise and I were just sharing earlier some fond memories of her in the House. You know, when I decided I was going to run for the House, one of the things my late husband, Stan Mayfield, said to me was, “When you get to the House, make sure you follow the lead of Representative Grimsley. She is a lady; she is very respectful, and she loves the process. You can never go wrong if you just follow her lead.” Denise, thank you for being such a great friend to my husband at the time, especially during his last two years up here. You have truly been a friend, you truly are a lady, and you truly love this process. I really wish you a lot of luck in your next endeavor in life. Thank you very much.

**Senator Stargel:** Thank you, Mr. President. I wasn’t as close to Denise when we were serving in the House. I don’t know why; we’ve been in the same delegation for a while. When we came over to the Senate and watching her in the House, and the way she always handled everything, I guess, in a way, intimidated me. She always had such grace, but yet such power. Seeing that personality about you is something I’ve admired, because, as I’ve told some of the people, I tend to be emotional, freaking out, and yelling, and you were always calm, cool, and collected. Yet, you got what you needed to get done. You did it effectively, efficiently, and I’m looking to be more like you in the future, maybe someday soon. But, anyhow, you do a good job.

Also having her in the delegation, I always used to rely on Denise for everything health care, and she would always come to me on everything education. Every time there was a health care issue, I’d talk to her, and this year, we had this flip-flop where I’m working in health care and she is working in education. So, we had a lot more conversations over these last couple of years. I compare everything I do in health care to education, and I think she might have been comparing the things she was learning in education based on her knowledge of health care.

It has been nice to have a friend like you, someone who I can share things with at home and up here; someone who’s been through this process and has done it very efficiently. Like I said, to be the Appropriations Chair in the House and to watch how you maneuvered and how you negotiated with a very powerful partner on the side, and how you handled that back home, was something to be admired. I’m looking forward to working with you in the future.

**Senator Gibson:** Thank you, Mr. President. Senator Grimsley and I have been very good friends from the very beginning. She’s a true consensus builder and that’s something that’s sometimes missing in this process. I’ve never seen her vehemently upset about anything. When you saw her kneeling in those pictures, I think about the fact that she’s kneeling because she’s trying to get to a certain place in what she’s trying to do.

I think that our bond really came together because she’s a nurse. Nurses are very caring people. I know, because I was raised by one. So when that happens, it transfers into what she tries to do for her district, or what she has done for her district, and for the people of the State of Florida. Even if we couldn’t necessarily fully agree about something—as you saw the kneeling—she’s working it out. She’s always been that way.

I’m extremely appreciative of our friendship that had nothing to do with legislation; it had nothing to do with whether we supported certain issues; it had everything to do with who she is and wanting to have friendship, over anything else, to get things done both in the House and the Senate. You know darn well I’m going to miss you very, very much. I wish you much success.

**Senator Galvano:** Thank you, Mr. President. I first met Senator Grimsley when she was a candidate for the Florida House. I met her and I felt like she had everything it took to be a good member of the House. When she exceeded what I had perceived, I decided to help her. Through my campaign, I had gone to great lengths to have these massive sign frames built. We had carpenters all up and down the street, and my neighbors were calling the homeowners’ association and all this stuff. I said, “Denise, I have a way I can help you. I have all of these sign frames, would you like them?” She said, “Sure.” I got a whole crew to bring them up but I said, “I want them back. We put a lot of work into them, and we want them back eventually.” No sooner had I delivered them and she got them up and, what was it, Hurricane Andrew, came through? She calls me and she is like, “Hey, I don’t think you are getting your sign frames back. I think they are still strewn all over the heartland at this point.”

But when she came to the Senate, and I became Majority Leader, President Gardiner asked me, “Who do you want to have as your Deputy Majority Leader?” It was so easy for me to say, “I would like Denise Grimsley to fulfill that job.” Just as it was described, her demeanor and her focus, you see her going quietly but forcefully around the chamber and doing what she needs to do to make sure that not just her goals get achieved, but everybody gets their voices heard with her help. That meant a lot to me and she excelled in that position.

I really got to know her when we got redistricting, or right before redistricting when the first redistricting of—I think of 2008—but the one where I picked up a big chunk of her old district. You get to know how someone is loved when you start interacting with the people they represent. I still remember going into a town hall meeting in Moore Haven, and I walked in and they are all looking at me and I am like, “Hey I’m Bill, your Senator.” One guy is like, “Where is Denise?” That happened in Hardee County, in Highlands County, and in DeSoto County. Everywhere I went, it was like, “That is good, we hear you, but what does Denise think about this?” I was like, “Look, she doesn’t represent you anymore, okay?” It is so evident how much you are loved back home and continue to be loved in this chamber. I know, personally, I am going to miss you very, very much.

**Senator Rouson:** Thank you very much, Mr. President. Senator Grimsley, I recall building a relationship with you just prior to you being Appropriations Chair in the House. I remember feeling really fortunate when you became Appropriations Chair. You helped me along the process, you made me feel welcome in the suite, and I really learned to walk the suite while you were Chair.

The good news was that we shared ideas; we shared passions. With your medical background, you helped with mental health and substance abuse issues. You fought as hard for some of them as I did when I brought them to you. I want to thank you for that. You taught me calmness; you taught me demeanor. People don’t know the reason I wear these boots is because I feel like kicking doors in when the doors are closed. You showed me there’s a way that you can walk in and get more when the door opens than by kicking in the door. I want to thank you for the lessons, thank you for the shared passion, and thank you for serving.

**President Negron:** I would like to make a few comments before we recognize Senator Grimsley. As I was thinking about this for the last several days, I started rewinding through memories and experiences. We had a chance to serve together in the House and then also here in the Senate. Three things came to mind: One, I think you are a person of class and grace. Two, you are someone who developed an extraordinary budget expertise. The budget is a lot of detail and there are technical parts of the budget that require a certain level of proficiency to be able to navigate through. When I think of you, and see you, I think of somebody who learned the health and human services budget first. It is the most complex part of the budget, in my view. Then, of course, becoming the full Appropriations Chair in the House, which shows how well you did in the responsibilities that you had before you received that position. The final thing is the pride and commitment that you have being a nurse—to appreciating and respecting the nursing profession, looking out for their interests, and making sure that this body understood.

When you were in the House, you understood how important nurses are to the delivery of medicine. They are a critical part of the medical team. Frequently, in hospitals and other environments, a patient may only see a nurse and may not even see a doctor. The doctor may be doing things behind the scenes. Those are the three things. So when we were thinking about what legislation would be part of your legislative legacy, including obviously a lot of budget issues that you worked on, I chose HB 1209 that you passed in 2009. It was really a comprehensive reorganization of the nursing profession and makes things go more smoothly for people trying to get into the profession. It was a multiyear effort and, to me, you left the nursing profession stronger and more respected than when you found it.

**Senator Grimsley:** Thank you, Mr. President and President Designate Galvano. It is hard to believe that it has been 14 years. I came in with Senator Flores and Senator Hukill. I think we are the only ones left that came in 2004. In the video that you saw, the pictures outside are from the farm and the ranch where I grew up and still live there today. I came in thinking I was going to change the world and I was going to get rid of all of the bureaucracy. I had been running our family's business for 10 years and dealing with regulatory agencies. I came in planning to get rid of all of the bureaucracy. It didn't happen as fast as I thought it would happen. I thought I was going to come in and cure citrus canker; that didn't happen. But I learned to respect the process. Mr. President, you were instrumental in that because you were the Budget Chair when I came in. As a freshman member of either body, you come in, you don't know anything, and you have to try to depend on others to help you get through it and find your way. I will say that you showed me such grace and kindness. Many people in the process will jerk new members around. You never did that; you were always very upfront and honest—"I can do this" or "I can't do that"—and you taught me about the budget process. Thank you for everything that you have done for me. I have been honored to serve under you as President. Thank you very much.

I worked on a lot of things since I have been here, mostly health care related or agriculture oriented, because those are my two passions and the nursing bill that you talked about. What I discovered pretty quickly is that there were many people who were turned away from being admitted to nursing schools. We realized pretty quickly that there was a lot of bureaucracy within the Department of Health and within the Board of Nursing. So, I want to recognize a lady that is in the gallery today, Martha DeCastro. She is the Vice President of Nursing for the Florida Hospital Association, and I didn't know her coming into the process. I met her and we started talking about what we have to do to fix these nursing schools. It was five years, maybe, the process of actually getting it done. The Board of Nursing, I will tell you, is better today. They are doing what they should be doing, and I couldn't be prouder of them. I wouldn't have been able to do it without Martha's expertise.

I want to thank a few people. I want to talk about my family back home. My parents, who you saw in the video, my dad is 80 years old. He just had his birthday in January. They taught me the value of hard work; how to treat people with respect; and they taught me about the love of Jesus, how to transmit that to people, and how to be kind. All of those pictures you saw where I was kneeling, I could have been begging. I don't really know what I was doing. But I think it was Senator Gibson who said it best. You have to meet people in this process or outside in the world. You have to meet people where they are, and you have to be able to build consensus. I have never looked at members as Republicans

or Democrats. I think we are Americans and we are Floridians. We are here to do a job for the people that we represent. When partisan politics interfere with that, it creates a division and many times, we just don't get things done. I watched my parents sit around the dining room table when I was growing up, trying to figure out how to get enough money to make their business run; how to get enough money to buy that other grove; how to get enough money to buy that other convenience store. I didn't quite understand it as a kid, but I learned to appreciate it as an adult. Senator Baxley has a tie to my family. His dad actually married my parents. When they had their 50th wedding anniversary, he was able to come down and help them renew their vows. It was pretty special. You never know who you are going to meet in this process.

My daughter is a fourth grade school teacher. She is an amazing teacher, and I am so proud of her. The two children are my grandchildren, Tyson and Julian, who I pray for every day. I don't just pray for them because they are my grandchildren. I pray for them and their future. I pray for their future spouses because I know that God has a plan for all of our lives. We don't always know what that is, and he takes us—I said I would never run for the legislature; I said I would never run for office—we don't always know where he is sending us. We just have to be open to what he has in store for us.

I want to also talk about my district staff. Andrea Jahna is back home. She just left the legislative office to run my campaign, but she is the same age as my daughter, grew up with my daughter, and stayed at my house a lot when they were growing up. I am so proud of her. She has amazing organizational skills. Anne Bell is with me, over on the wall this morning from Fort Meade. Anne has been with us four years now, I believe. Anne, when someone asks me who they need to call in my office, I say, "Well, call and ask for the bulldog." She is the bulldog. If you have an issue with a state agency—you know, I talked about children earlier this week—especially if it has to do with the Department of Children and Families, she is your girl because she will get it done. She will stop at nothing. Jae Williams is back in the district in Punta Gorda. Jae was with us probably a year before I ever met her. She does an amazing job representing us in Charlotte County. Larry Ford was with Senator Alexander before me, and Judge Lorente before that. He was with us for many, many years and just retired last year. He was an instrumental part of our team. Hilary Holley was also a legislative aide here in the building for a while. Kim Hamilton, who represented us in Collier, Hendry, and Glades Counties, is now a legislative assistant over in the House. Maura Palmer is back home in Representative Pigman's office now. Maura was my store supervisor, oversaw our 10 convenience stores, and when we sold our business, she said, "Well I may as well go with you," and she stayed. Very proud of her as well. Marty Mielke, who has been with me for 14 years, was with Representative Spratt before that and Representative Bert Harris. I joked with her when I left the House of Representatives that I had been in her training programs for eight years. Now I have been there for 14 years, and she is still bailing me out. I still don't know what dates we have to file our bills; I don't know any of that stuff. She does it, and somebody will ask me, and I will say, "I don't know. You have to ask Marty." Marty, you have been a real good friend, and I don't know where we are going from here, but we are going somewhere.

I also want to thank Allen Brown, who I had the opportunity to work with quite a bit on health care issues. I want to recognize my other legislative staff. Allen has been instrumental helping get bills like HB 1209 passed, and multiple other things. Allen, thank you. Katherine Becker is the staff director for Agriculture Committee this year. I have enjoyed working with her very much. Diana Caldwell—I have chaired the Energy Committee for a year—and she is an amazing lady. She inspired me not just on the legislative side, but you know I am a runner, and she is a runner. She is much better than I am so she inspired me to stay healthy. Katie and Gino Betta, I don't know where you guys are, but Gino was my staff director in Appropriations. Katie was with me in the House and now here in the Senate. They are an amazing couple, and they do an amazing job for the people of Florida.

Joe Spratt, who is not here today, was a State Representative before me. I took his seat, and we joke about him. He is here. We joke that he is the honorary staff member in our office. You know, I ran for a seat that I didn't think I could win. Senator Galvano, just like you going into somebody else's district, I would knock on the door and they would say, "Are you running against Joe Spratt? Well, what does Joe Spratt think about you?" So, I know how you felt going in there. And Senator Alexander back home. I took his seat in the Senate. We were first grade

classmates together. We were Appropriations Chairmen together, and we joked about if our first grade teacher was still alive, she would say, "I don't even know how this happened." I also want to say, Madam Secretary, your staff, and the Sergeant's staff as well.

I just want to close by saying what an incredible honor it has been to be both a Representative and a Senator. It is time for me to go home, and I am ready. I am ready to see those grandkids, but if I could leave you with one thing, that is Luke 6:31. If you use that, essentially, it says treat other people like you want to be treated. If you do that, you are successful, whether it is in this process or not. The other thing to remember is to always remember where you came from. Those people brought you to the dance, that is who you go to the grocery store with, and that is who you see when you go home. I am ready to come back to District 26. Thank you, Mr. President.

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

### SPECIAL ORDER CALENDAR

**CS for CS for SB 1104**—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; requiring the Department of Transportation to consist of a central office that establishes policies and procedures and districts that carry out projects as authorized or required under the policies and procedures of the central office; deleting the requirement that the Secretary of Transportation be appointed from among three persons nominated by the Florida Transportation Commission; amending s. 316.003, F.S.; adding, deleting, and revising definitions; amending s. 316.008, F.S.; authorizing a mobile carrier to be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law; providing construction; amending s. 316.0895, F.S.; providing construction; deleting a provision relating to prohibitions on certain vehicles following other vehicles within 300 feet; repealing s. 316.0896, F.S., relating to the assistive truck platooning technology pilot project; creating s. 316.0897, F.S.; authorizing a platoon to be operated on a roadway in this state after an operator takes specified actions; requiring the Department of Transportation to adopt rules for the issuance of permits for the operation of platoons, subject to certain requirements; providing for the future repeal of this section; amending s. 316.2071, F.S.; authorizing a mobile carrier to operate on sidewalks and crosswalks; providing that a mobile carrier operating on a sidewalk or crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances, except that the mobile carrier must not unreasonably interfere with pedestrians or traffic and must yield the right-of-way to pedestrians on the sidewalk or crosswalk; specifying requirements for a mobile carrier; prohibiting a mobile carrier from taking specified actions; amending s. 316.302, F.S.; revising regulations to which owners and drivers of commercial motor vehicles are subject; delaying the requirement for electronic logging devices and support documents for certain intrastate motor carriers; deleting a limitation on a civil penalty for falsification of certain time records; deleting a requirement that a motor carrier maintain certain documentation of driving times; providing an exemption from specified provisions for a person who operates a commercial motor vehicle having a certain gross vehicle weight, gross vehicle weight rating, and gross combined weight rating; deleting the exemption from such provisions for a person transporting petroleum products; amending s. 316.303, F.S.; conforming a provision to changes made by the act; amending s. 316.85, F.S.; authorizing the Florida Turnpike Enterprise to fund, construct, and operate test facilities for the advancement of autonomous and connected innovative transportation technology solutions for specified purposes; amending s. 319.141, F.S.; redefining the term "rebuilt inspection services"; deleting obsolete language; requiring the Department of Highway Safety and Motor Vehicles to ensure that an applicant of the pilot rebuilt motor vehicle inspection program meets basic criteria designed to protect the public before the applicant is renewed; revising requirements for the applicant; requiring the operator of a facility to annually make certain attestations; prohibiting a program participant from conducting an inspection of a vehicle rebuilt before its purchase by the current applicant; requiring that such vehicles be inspected by the department; requiring any applicant that fails an initial rebuilt inspection to have that vehicle reinspected only by the department or the facility that conducted the original inspection; prohibiting any person or business authorized by the department to train, certify, or recertify operators and inspectors of private rebuilt

motor vehicle inspection facilities from certifying or recertifying themselves or any of their employees; requiring the department to conduct an onsite facility inspection at least twice a year; requiring a current operator to give the department certain notice of a transfer before any transfer of a rebuilt inspection facility; requiring a transferee to meet certain eligibility requirements and execute a new memorandum of understanding with the department before operating the facility; extending the date for future repeal of this section; requiring the department to submit a certain written report to the Legislature on or before a specified date; amending s. 319.32, F.S.; prohibiting the department and the tax collector from charging any fee or service charge, except for the expedited title fee, if applicable, for a certificate of title issued for a motor vehicle to transfer the title from a deceased owner to a surviving parent or any surviving child, if the parent or child is a resident of this state, the vehicle is titled in this state before the transfer, and the parent or child applies for the title transfer within a specified period after the death of the owner; amending s. 320.01, F.S.; revising definitions; amending s. 320.02, F.S.; requiring the application form for motor vehicle registration and renewal of registration to include language permitting a voluntary contribution of a specified amount per applicant to aid in Alzheimer's and other related dementia research; requiring such contributions to be distributed to the Alzheimer's Association, Inc., for the purpose of supporting research conducted in this state; providing that a mobile carrier is not required to satisfy specified registration and insurance requirements; amending s. 320.03, F.S.; preempting to the state jurisdiction over the electronic filing system for use by authorized electronic filing system agents to process title transactions, derelict motor vehicle certificates, and certain certificates of destruction for derelict and salvage motor vehicles; authorizing an entity that, in the normal course of its business, processes title transactions, derelict motor vehicle certificates, or certain certificates of destruction for derelict or salvage motor vehicles and meets all established requirements, to be an authorized electronic filing system agent; prohibiting such an entity from being precluded from participating in the electronic filing system in any county; deleting provisions requiring the department to adopt certain rules to replace specified program standards; authorizing the department to adopt certain rules; amending s. 320.06, F.S.; requiring a vehicle that has an apportioned registration to be issued, before a specified date, an annual license plate and a cab card denoting the declared gross vehicle weight; providing requirements, beginning on a specified date, for license plates, cab cards, and validation stickers for vehicles registered in accordance with the International Registration Plan; providing a specified fee for initial and renewed validation stickers; requiring the fee to be deposited into the Highway Safety Operating Trust Fund; authorizing a damaged or worn license plate to be replaced at no charge under certain circumstances; providing an exception to the design of dealer license plates for specialty license plates; amending s. 320.0605, F.S.; requiring that the department-authorized paper or electronic registration certificate or an official copy and a true copy or an electronic copy of rental or lease documentation issued for a motor vehicle or issued for a replacement vehicle in the same registration period be in the possession of the operator thereof or be carried in the vehicle for which issued and be exhibited upon demand of any authorized law enforcement officer or any agent of the department; specifying that the act of presenting to a law enforcement officer or agent of the department an electronic device displaying an electronic copy of rental or lease documentation does not constitute consent for the officer or agent to access any information on the device other than the displayed rental or lease documentation; requiring the person who presents the device to the officer or agent to assume the liability for any resulting damage to the device; providing that rental or lease documentation that includes the date and time of rental is sufficient to satisfy a specified requirement; amending s. 320.0607, F.S.; providing an exemption, beginning on a specified date, from a certain fee for vehicles registered under the International Registration Plan; amending s. 320.0657, F.S.; providing an exception to the design of fleet license plates for specialty license plates; authorizing fleet companies to purchase specialty license plates in lieu of the standard fleet license plates for additional specified fees; requiring fleet companies to be responsible for all costs associated with the specialty license plate; amending s. 320.08, F.S.; authorizing dealers to purchase specialty license plates in lieu of the standard graphic dealer license plates for additional specified fees; requiring dealers to be responsible for all costs associated with the specialty license plate; amending s. 320.08056, F.S.; allowing the department to authorize dealer and fleet specialty license plates; authorizing a dealer or fleet company to purchase specialty license plates to be used on dealer and fleet vehicles

with the permission of the sponsoring specialty license plate organization; requiring a dealer or fleet specialty license plate to include specified letters on the right side of the license plate; requiring dealer and fleet specialty license plates to be ordered directly through the department; amending s. 320.131, F.S.; authorizing, beginning on a specified date, the department to partner with a county tax collector to conduct a Fleet Vehicle Temporary Tag pilot program, subject to certain requirements; providing for future repeal; amending s. 320.95, F.S.; authorizing the department to authorize the format of an electronic certificate of registration in addition to printing a paper registration certificate; authorizing the operator to present for inspection an electronic device displaying a department-issued electronic certificate or registration issued under certain circumstances; providing that such presentation does not constitute consent for inspection of any information on the device other than the displayed certificate of registration; providing that the person who presents the device to the officer assumes the liability for any resulting damage to the device; amending s. 322.01, F.S.; providing definitions; amending s. 322.032, F.S.; directing the department to implement protocols for issuing an optional electronic credential and procure a related technology solution; providing requirements for qualified entities; requiring the department to maintain certain protocols and national standards; requiring the department to timely review and approve all electronic credential provider requests for authorized access to certain interfaces that meet the agency's requirements; providing requirements for an electronic credential provider and the electronic credential and verification solution; requiring the department to procure electronic credential providers and a credential service provider; requiring the department to enter into specified agreements with electronic credential providers; requiring a report to the Legislature and the Governor; requiring that the department provide electronic credential providers access to a standardized digital transaction process that has specified capabilities; requiring that certain revenue be deposited into the Motor Vehicle License Clearing Trust Fund for distribution; authorizing the department to assess a competitive market rate fee structure; prohibiting certain fees; requiring that an electronic credential be in a format that allows certain entities to verify the authenticity of such electronic credential and to validate certain privileges; providing that presenting an electronic device displaying an electronic credential does not constitute consent for a law enforcement officer to access any other information on such device; providing for the assumption of liability; amending s. 322.059, F.S.; conforming a provision to changes made by the act; amending s. 322.09, F.S.; providing that a caregiver of a minor who is under a specified age and is in foster care does not assume any obligation or become liable for any damages caused by the negligence or willful misconduct of the minor by reason of having signed the minor's application for a learner's driver license; requiring a caseworker to notify the caregiver of his or her intent to sign and verify such application before signing the application; amending s. 322.143, F.S.; revising a definition; amending s. 322.15, F.S.; conforming a provision to changes made by the act; amending s. 322.38, F.S.; prohibiting a person from renting a motor vehicle to another until he or she has verified that the driver license of the person to whom the vehicle is rented is unexpired; deleting the requirement that a person renting a motor vehicle to another keep a record of the date when the license of the person to whom the vehicle is rented was issued; specifying that a rental car company is deemed to have met specified requirements when the rental car company requires the renter to verify that he or she is duly licensed and that the license is unexpired if the rental car company rents a motor vehicle to a person through certain digital, electronic, or other means; specifying when such verification may occur; amending s. 322.61, F.S.; conforming a cross-reference; amending s. 324.021, F.S.; revising the definition of the term "motor vehicle"; amending s. 324.031, F.S.; authorizing the owner or operator of a taxicab, limousine, jitney, or any other for-hire passenger transportation vehicle to prove financial responsibility by providing satisfactory evidence of holding a motor vehicle liability policy that is provided by an insurer that is authorized to do business in this state and a member of the Florida Insurance Guaranty Association or an eligible nonadmitted insurer that has a certain financial strength rating by a rating agency acceptable to the Office of Insurance Regulation of the Financial Services Commission; amending s. 324.032, F.S.; decreasing the minimum amount of taxicabs, limousines, jitneys, or any other for-hire passenger transportation vehicles that an owner or a lessee operates in order to be able to provide financial responsibility by complying with specified provisions, subject to certain requirements; amending s. 338.166, F.S.; revising provisions relating to express lane toll amounts charged according to average travel speed; providing that

an express lane segment is the distance between the customer's point of entry to the first available exit; providing that additional segments are defined by the distance between subsequent exits; amending s. 338.2216, F.S.; revising provisions relating to express lane toll amounts charged according to level of service; providing that an express lane segment is the distance between the customer's point of entry to the first available exit; providing that additional segments are defined by the distance between subsequent exits; deleting a provision requiring a customer to be charged the general toll lane toll amount plus an amount set by department rule under certain circumstances; creating s. 334.352, F.S.; prohibiting a local governmental entity from preventing motor vehicle access to a transportation facility or transportation corridor under certain circumstances; amending s. 655.960, F.S.; conforming a cross-reference; amending s. 812.014, F.S.; providing a criminal penalty for an offender committing grand theft who uses a device to interfere with a global positioning or similar system; providing effective dates.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

**Amendment 1 (758604) (with title amendment)**—Between lines 1726 and 1727 insert:

Section 37. Subsection (2) of section 338.222, Florida Statutes, is amended to read:

338.222 Department of Transportation sole governmental entity to acquire, construct, or operate turnpike projects; exception.—

(2) The department may, *but is not required to*, contract with any local governmental entity as defined in s. 334.03(13) for the design, right-of-way acquisition, *transfer, purchase, sale, acquisition, or other conveyance of the ownership, operation, maintenance, or construction of* any turnpike project which the Legislature has approved. Local governmental entities may negotiate *and contract with* the department for the design, right-of-way acquisition, *transfer, purchase, sale, acquisition, or other conveyance of the ownership, operation, maintenance, or* ~~and~~ construction of any section of the turnpike project within areas of their respective jurisdictions or within counties with which they have interlocal agreements.

And the title is amended as follows:

Delete line 302 and insert: department rule under certain circumstances; amending s. 338.222, F.S.; revising provisions relating to contracting and negotiation between the Department of Transportation and local governmental entities for acquisition, construction, or operation of turnpike projects; creating

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

Senator Bracy moved the following amendment which was adopted:

**Amendment 2 (501640) (with title amendment)**—Between lines 1047 and 1048 insert:

Section 22. Subsection (84) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(84) *ORLANDO CITY SOCCER CLUB LICENSE PLATES.*—

(a) *The department shall develop an Orlando City Soccer Club license plate as provided in paragraph (9)(a).*

(b) *The annual use fees from the sale of the plate shall be distributed and used as provided in paragraph (9)(b).*

And the title is amended as follows:

Between lines 187 and 188 insert: amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop a certain specialty license plate; providing for distribution and use of fees collected from the sale of the plates;

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

Senator Stewart moved the following amendment which was adopted:

**Amendment 3 (414952) (with title amendment)**—Between lines 1047 and 1048 insert:

Section 22. Subsection (84) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(84) ORLANDO UNITED LICENSE PLATES.—

(a) *The department shall develop an Orlando United license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Orlando United” must appear at the bottom of the plate.*

(b) *The annual use fees from the sale of the plate shall be distributed as follows:*

1. *Seven percent shall be distributed to the Mental Health Association of Central Florida, Inc., to be used for marketing of the license plate.*

2. *Thirty-one percent shall be distributed to the Mental Health Association of Central Florida, Inc. Of this amount, up to 5 percent may be used for administrative expenses, and the remainder shall be used to offer free personalized counseling to any person affected by the shooting at the Pulse nightclub in Orlando on June 12, 2016.*

3. *Thirty-one percent shall be distributed to onePULSE Foundation, a charitable, nonprofit organization under s. 501(c)(3) of the Internal Revenue Code. Of this amount, up to 5 percent may be used for administrative expenses, and the remainder shall be used to support the construction and maintenance of the onePULSE Foundation Memorial.*

4. *Thirty-one percent shall be distributed to Two Spirit Health Services, Inc. Of this amount, up to 5 percent may be used for administrative expenses, and the remainder shall be used to offer free personalized counseling to any person affected by the shooting at the Pulse nightclub in Orlando on June 12, 2016.*

And the title is amended as follows:

Between lines 187 and 188 insert: amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop a certain specialty license plate; providing for distribution and use of fees collected from the sale of the plates;

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

Senator Stewart moved the following amendment which failed:

**Amendment 4 (305832) (with directory and title amendments)**—Between lines 1047 and 1048 insert:

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(ffff) *Orlando United license plate, \$25.*

And the directory clause is amended as follows:

Delete line 1030 and insert: Statutes, is amended, and paragraph (ffff) is added to subsection (4) of that section, to read:

And the title is amended as follows:

Between lines 187 and 188 insert: establishing an annual use fee for a certain specialty license plate;

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

Senator Bracy moved the following amendment which was adopted:

**Amendment 5 (690332) (with directory and title amendments)**—Between lines 1047 and 1048 insert:

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(ffff) *Orlando City Soccer Club license plate, \$25.*

And the directory clause is amended as follows:

Delete line 1030 and insert: Statutes, is amended, and paragraph (ffff) is added to subsection (4) of that section, to read:

And the title is amended as follows:

Between lines 187 and 188 insert: establishing an annual use fee for a certain specialty license plate;

**RECONSIDERATION OF AMENDMENT**

On motion by Senator Bracy, the Senate reconsidered the vote by which **Amendment 4 (305832)** failed. **Amendment 4 (305832)** was adopted.

On motion by Senator Brandes, by two-thirds vote, **CS for CS for SB 1104**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea to Nay—Campbell

**CS for CS for CS for SB 1308**—A bill to be entitled An act relating to environmental regulation; amending s. 373.250, F.S.; deleting an obsolete provision; providing examples of reclaimed water use that may create an impact offset; revising the required provisions of the water resource implementation rule; amending s. 403.064, F.S.; encouraging the use of aquifer recharge; requiring the Department of Environmental Protection and the water management districts to develop and enter into a memorandum of agreement providing for a coordinated review of any reclaimed water project requiring a reclaimed water facility permit, an underground injection control permit, and a consumptive use permit; specifying required provisions for such memorandum; specifying the date by which the memorandum must be developed and executed; amending s. 403.706, F.S.; requiring counties and municipalities to address contamination of recyclable material in specified contracts; prohibiting counties and municipalities from requiring the collection or transport of contaminated recyclable material by residential recycling collectors except under certain conditions; defining the term “residential recycling collector”; prohibiting counties and municipalities from requiring the processing of contaminated recyclable material by recovered materials processing facilities except under certain conditions; specifying required contract provisions in residential recycling collector and recovered materials processing facility contracts with counties and municipalities; providing applicability; amending s. 403.813, F.S.; prohibiting a local government from requiring an individual to provide further department verification for certain projects; revising the types of dock and pier replacements and repairs that are exempt from such

verification and certain permitting requirements; creating s. 403.1839, F.S.; defining terms; providing legislative findings; establishing the blue star collection system assessment and maintenance program; specifying the purpose of the program; requiring the department to adopt rules and review and, if appropriate, approve applications for certification under the program; requiring a utility applying for certification to provide reasonable documentation demonstrating that it meets specified certification standards; providing that certifications expire after a specified period of time; specifying requirements to maintain program certification; requiring the department to annually publish a list of certified blue star utilities, beginning on a specified date; requiring the department to allow public and private, nonprofit utilities to participate in the Clean Water State Revolving Fund Program for certain purposes; authorizing the department to reduce certain penalties for a certified utility under specified conditions; amending s. 403.067, F.S.; creating a presumption of compliance with certain total maximum daily load requirements for certified blue star utilities; amending s. 403.087, F.S.; requiring the department to provide extended operating permits when a certified blue star utility applies for permit renewal under certain conditions; amending s. 403.161, F.S.; authorizing the department to reduce a penalty based on certain system investments for permitted facilities; amending s. 403.1838, F.S.; allowing for additional recipients and uses of Small Community Sewer Construction grants; providing effective dates.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1308** to **CS for CS for HB 1149**.

Pending further consideration of **CS for CS for CS for SB 1308**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1149** was withdrawn from the Committees on Environmental Preservation and Conservation; Community Affairs; and Appropriations.

On motion by Senator Perry—

**CS for CS for HB 1149**—A bill to be entitled An act relating to environmental regulation; amending s. 373.250, F.S.; deleting an obsolete provision; providing examples of reclaimed water use that may create an impact offset; revising the required provisions of the water resource implementation rule; amending s. 373.413, F.S.; directing the Department of Environmental Protection and water management districts to reissue the construction phase of an expired environmental resource permit under certain conditions; providing requirements for requesting reissuance of such permit; authorizing the department, in coordination with the water management districts, to adopt rules; amending s. 403.064, F.S.; encouraging the development of aquifer recharge for reuse implementation; requiring the department and water management districts to develop and enter into a memorandum of agreement providing for a coordinated review of any reclaimed water project requiring a reclaimed water facility permit, an underground injection control permit, and a consumptive use permit; specifying the required provisions of such memorandum; specifying the date by which the memorandum must be developed and executed; amending s. 403.706, F.S.; requiring counties and municipalities to address contamination of recyclable material in specified contracts; prohibiting counties and municipalities from requiring the collection or transport of contaminated recyclable material by residential recycling collectors; defining the term “residential recycling collector”; specifying required contract provisions in residential recycling collector and materials recovery facility contracts with counties and municipalities; providing applicability; amending s. 403.813, F.S.; prohibiting a local government from requiring further department verification for certain projects; revising the types of dock and pier replacements and repairs that are exempt from such verification and certain permitting requirements; amending s. 373.4135, F.S.; providing an exemption from certain requirements for mitigation areas created by a local government under a permit issued before a specified date and for certain mitigation banks; amending s. 373.4598, F.S.; revising requirements related to the operation of water storage and use for Phase I and Phase II of the C-51 reservoir project if state funds are appropriated for such phases; authorizing the South Florida Water Management District to enter into certain capacity allocation agreements and to request a waiver for repayment of certain loans; authorizing the Department of Environmental Protection to waive such loan repayment under certain conditions; providing that the district is not responsible for repayment of

such loans; creating s. 403.1839, F.S.; providing definitions; providing legislative findings; establishing the blue star collection system assessment and maintenance program and providing its purpose; requiring the Department of Environmental Protection to adopt rules and review and approve program applications for certification; specifying the documentation utilities must submit to qualify for certification; providing for certification expiration and renewal; requiring the department to publish an annual list of certified blue star utilities; requiring the department to allow public and private, nonprofit utilities to participate in the Clean Water State Revolving Fund Program under certain conditions; authorizing the department to reduce penalties for sanitary sewer overflows at certified utilities and for investments in certain assessment and maintenance activities; amending s. 403.067, F.S.; creating a presumption of compliance for certain total maximum daily load requirements for certified utilities; amending s. 403.087, F.S.; requiring the department to issue extended operating permits to certified utilities under certain conditions; amending s. 403.161, F.S.; authorizing the department to reduce penalties based on certain system investments for permitted facilities; amending s. 403.1838, F.S.; authorizing additional recipients and uses of Small Community Sewer Construction grants; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1308**, as amended, and read the second time by title.

On motion by Senator Perry, by two-thirds vote, **CS for CS for HB 1149** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—27

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

Nays—10

Braynon	Garcia	Thurston
Campbell	Powell	Torres
Farmer	Rodriguez	
Gainer	Taddeo	

Vote after roll call:

Nay to Yea—Powell

## MOTIONS

On motion by Senator Benacquisto, the rules were waived and the following bill was withdrawn from the Committees on Governmental Oversight and Accountability; and Rules, and added to the Special Order Calendar this day: **CS for SB 1628**.

## SPECIAL RECOGNITION

Senator Montford recognized Tommy Hunt, an employee with the Office of the Senate Sergeant at Arms, who is retiring after 33 years of service.

On motion by Senator Brandes, by unanimous consent—

**CS for CS for CS for SB 296**—A bill to be entitled An act relating to the Beverage Law; repealing s. 564.05, F.S., relating to limitations on the size of individual wine containers; repealing s. 564.055, F.S., relating to limitations on the size of individual cider containers; amending s. 564.09, F.S.; revising provisions authorizing a restaurant to allow a patron to remove bottles of wine from a restaurant for off-premises



consumption; amending s. 565.03, F.S.; redefining the terms “branded product” and “craft distillery”; providing limitations on retail sales by a craft distillery to consumers; deleting a provision that prohibits a craft distillery from selling more than six individual containers of a branded product to a consumer; providing that it is unlawful to transfer a distillery license, or ownership in a distillery license, for certain distilleries to certain individuals or entities; prohibiting a craft distillery from having its ownership affiliated with certain other distilleries; authorizing a craft distillery to transfer distilled spirits from certain locations to its souvenir gift shop; providing an effective date.

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

Pending further consideration of **CS for CS for CS for SB 296**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 669** was withdrawn from the Committees on Regulated Industries; Commerce and Tourism; Regulated Industries; and Rules.

On motion by Senator Brandes, the rules were waived and—

**CS for HB 669**—A bill to be entitled An act relating to the Beverage Law; amending s. 562.34, F.S.; authorizing the possession and transport of cider growlers; repealing s. 564.05, F.S., relating to limitations on the size of individual wine containers; amending s. 564.055, F.S.; authorizing the packaging, filling, refilling, or sale of cider in growlers of specified sizes and under specified circumstances; providing labeling and packaging requirements for cider growlers; restricting the use of cider growlers; providing criminal and civil penalties and license revocation or suspension for certain persons or licensees who violate provisions regulating cider growlers; amending s. 564.09, F.S.; revising provisions authorizing a restaurant to allow a patron to remove certain containers from a restaurant for off-premises consumption; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 296** and read the second time by title.

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

Senator Brandes moved the following amendment which was adopted:

**Amendment 1 (267770) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 564.055, Florida Statutes, is amended to read:

564.055 Cider containers *and growlers*.—Notwithstanding any other law to the contrary;

(1) Cider, as defined in s. 564.06(4), may be sold by vendors at retail in any size individual container containing no more than 32 ounces of cider.

(2) Cider may also be packaged, filled, refilled, or sold in a growler that holds 32, 64, or 128 ounces of such cider if it is filled at the point of sale.

(a) Cider packaged in a growler may be filled or refilled by a licensed manufacturer of wine holding a vendor’s license under s. 561.221(1)(a) or any person authorized to fill or refill a malt beverage growler pursuant to s. 563.06(7)(a)1.-3.

(b) A growler must include an imprint or label that provides information specifying the name of the manufacturer, the brand, and the anticipated percentage of alcohol by volume of the cider. The package must have an unbroken seal or be incapable of being immediately consumed.

(c) A licensee authorized to fill or refill growlers may not use growlers for the purposes of distribution or sale outside of the licensed manufacturing premises or licensed vendor premises.

(d) A person, firm, or corporation, including its agents, officers, or employees, that violates this subsection commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, and the license held by the person, firm, or corporation, if any, is subject to revocation or suspension by the division. A person, firm, or corporation,

including its agents, officers, or employees, that violates paragraph (b) may be subject to a fine by the division of up to \$250.

(3) ~~however~~, This section does not prohibit cider from being packaged and sold in bulk, in kegs or barrels, or in any individual container that contains 1 gallon or more of cider, regardless of container type.

Section 2. Section 564.09, Florida Statutes, is amended to read:

564.09 Restaurants; off-premises consumption of wine.—Notwithstanding any other provision of law, a restaurant licensed to sell wine on the premises may permit a patron to remove one unsealed bottle of wine for consumption off the premises if the patron has purchased a ~~full course meal consisting of a salad or vegetable, entree, a beverage, and bread~~ and consumed a portion of the bottle of wine ~~with such meal~~ on the restaurant premises. A partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee or its employees before removal from the premises. The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently opened or tampered with, and a dated receipt for the bottle of wine and ~~full course meal~~ shall be provided by the licensee and attached to the container. If transported in a motor vehicle, the container with the resealed bottle of wine must be placed in a locked glove compartment, a locked trunk, or the area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

Section 3. Paragraph (b) of subsection (1) and paragraph (c) of subsection (2) of section 565.03, Florida Statutes, are amended to read:

565.03 License fees; manufacturers, distributors, brokers, sales agents, and importers of alcoholic beverages; vendor licenses and fees; distilleries and craft distilleries.—

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

(b) “Craft distillery” means a licensed distillery that *has notified the division in writing of its decision to qualify as a craft distillery and that:*

1. Produces 250,000 ~~75,000~~ or fewer gallons per calendar year of distilled spirits on its premises; and

2. *Sells up to 50,000 gallons per calendar year of distilled spirits to consumers at its souvenir gift shop in accordance with this section* ~~Has notified the division in writing of its decision to qualify as a craft distillery.~~

(2)

(c) A craft distillery licensed under this section may sell to consumers, at its souvenir gift shop, *up to 50,000 gallons per calendar year of branded products distilled on its premises in this state in factory-sealed containers that are filled at the distillery for off-premises consumption. Such sales are authorized only on private property contiguous to the licensed distillery premises in this state and included on the sketch or diagram defining the licensed premises submitted with the distillery’s license application. All sketch or diagram revisions by the distillery shall require the division’s approval verifying that the souvenir gift shop location operated by the licensed distillery is owned or leased by the distillery and on property contiguous to the distillery’s production building in this state.*

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

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

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

4. A craft distillery may not ship or arrange to ship any of its distilled spirits to consumers and may sell and deliver only to consumers within the state in a face-to-face transaction at the distillery property.

However, a craft distiller licensed under this section may ship, arrange to ship, or deliver such spirits to manufacturers of distilled spirits, wholesale distributors of distilled spirits, state or federal bonded warehouses, and exporters.

5. Except as provided in subparagraph 6., it is unlawful to transfer a distillery license for a *craft distillery that produces 75,000 or fewer gallons per calendar year of distilled spirits on its premises* or any *direct or indirect* ownership interest in such license to an individual or entity that has a direct or indirect ownership interest in any distillery licensed in this state; *in another state, territory, or country; or by the United States government to manufacture, blend, or rectify distilled spirits for beverage purposes.*

6. A craft distillery ~~may shall~~ not have its ownership *interest directly or indirectly* affiliated with *any individual or entity that has a direct or indirect ownership interest in any distillery licensed in this state; in another state, territory, or country; or by the United States government to manufacture, blend, or rectify distilled spirits for beverage purposes, unless such distillery is a craft distillery another distillery, unless such distillery produces 75,000 or fewer gallons per calendar year of distilled spirits on each of its premises in this state or in another state, territory, or country.*

7. A craft distillery may transfer up to 50,000 gallons per calendar year of distilled spirits it manufactures from its federal bonded space, a nonbonded space, its licensed premises, or its storage areas to its souvenir gift shop.

Section 4. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Beverage Law; amending s. 564.055, F.S.; authorizing the packaging, filling, refilling, or sale of cider in growlers of specified sizes and under specified circumstances; providing labeling and packaging requirements for cider growlers; restricting the use of cider growlers; providing criminal and civil penalties and license revocation or suspension for certain persons or licensees who violate provisions regulating cider growlers; amending s. 564.09, F.S.; revising provisions authorizing a restaurant to allow a patron to remove bottles of wine from a restaurant for off-premises consumption; amending s. 565.03, F.S.; redefining the term “craft distillery”; providing limitations on retail sales by a craft distillery to consumers; deleting a provision that prohibits a craft distillery from selling more than six individual containers of a branded product to a consumer; providing that it is unlawful to transfer a distillery license, or ownership in a distillery license, for certain distilleries to certain individuals or entities; prohibiting a craft distillery from having its ownership affiliated with certain other distilleries; authorizing a craft distillery to transfer up to a certain amount of distilled spirits from certain locations to its souvenir gift shop; providing an effective date.

On motion by Senator Brandes, by two-thirds vote, **CS for HB 669**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Hutson

SENATOR BENACQUISTO PRESIDING

THE PRESIDENT PRESIDING

SENATOR FLORES PRESIDING

SPECIAL RECOGNITION OF PRESIDENT NEGRON

SPECIAL GUESTS

Senator Flores introduced the President’s wife, Rebecca Negron, who was present in the chamber.

REMARKS

On motion by Senator Braynon, by two-thirds vote, the following remarks were ordered spread upon the Journal:

**Senator Flores:** Thank you, Mr. President. You still put me in charge up here so I can say whatever I want, but I won’t. You all know that the President is an incredibly private and very shy person. No one knows this better than his amazing and wonderful bride and wife. Thank you for being here, Rebecca. I’d like to introduce the First Lady of the Senate, Rebecca Negron. You couldn’t get away with no one saying anything, so a couple of people are going to say a few things. President Designate Galvano, who has been President Negron’s roommate for several years, wanted to share some thoughts today.

**Senator Galvano:** Thank you, Madam President. I first met President Negron at a truck stop off I-75; it wasn’t fortuitous, it was actually planned, and I know he remembers this. He had reached out and he wanted to give me some dollars that he had raised. In President Negron fashion, he was so matter-of-fact about it. He was like, “Be at this truck stop at exactly 2:13 p.m. on Tuesday.” I think we literally had cars that came up next to each other, and he handed me some checks and moved on. That began a friendship that has lasted for many, many years.

As I had gone into my second term in the House, one of his two roommates was leaving, so President Negron invited me to come in and be his roommate. I knew he was conservative at the time, but when I saw the place where they lived, I realized just how conservative he was and is—well, was, because he has changed a little bit. Mr. President, do you remember this place? I thought you were crazy. I literally did. I mean, not to belabor the point, but I literally went into this place and it is supposedly furnished. I opened the top drawer of my dresser to put change in and it starts bouncing all the way down because there is a hole in the drawer. I opened the second drawer and there are clothes in it. I went out into the main area of the place and I called President Negron and Mark Mahon. I am like, “Guys, what is this place? There are literally clothes in the dresser of the place you have chosen.” I mean not to mention the smells, the other aesthetics of the place, and now Judge Mahon goes, “If you think that is bad, go look in that closet down the hall.” So we go down the hall, look in the closet, and there is a whole wardrobe, shoes and everything. I was like, “Whose are they?” I remember Mahon said, “Look at the size of those shoes. Whoever they belong to, when he comes back, he is going to find it just as he left it.” That was when I decided from then on, I would be the one who chose the place where we lived. There were some issues that I won’t get into on a couple of other places, including a time we were very close to eviction, some other law enforcement issues in the front yard, and things of that nature. I will share those later with you privately. I can honestly tell you—and this is an important aspect—when we got into the second year, or third, he became the Appropriations Chair. Geography is everything in this business. I became very popular, very fast, because I was rooming with the Appropriations Chair. Those were the good old days, and that is when I could slip an appropriation under his door before going to bed at night and, somehow, it would end up in the budget. That doesn’t happen anymore. In fact, the opposite happens.

I found President Negron to be one of the hardest working public servants that I have ever interacted with. In the House and in the Senate, I have watched his work ethic and his dedication. When you room with somebody, you get to know how they are in the morning, what they are studying, and where they are going. He works so hard for

all of you. He works so hard for his constituents back home. As President of the Senate, he works very hard for the people of Florida. I also know he takes it seriously to be fair. If I had to use a word to describe him in any situation, it's, "How can I be the most fair? What is the most balanced? What have we learned in the past about addressing this issue and how do we do it in the absolute right way?" He is never quick to cut off an opposing argument; oftentimes, he will not even make up his mind until he has heard from all sides. He will say, "Wait, let me get a pad. Let me get a pen. I want to hear this again." He will take notes, he will go back, and he will look at it. To me, that is the mark of a true public servant. Someone who wants to make sure the decisions that he or she is making are fair, balanced, well researched, and have the best possible outcome for those they affect. I have learned from that, I truly have, in the time that we have spent together.

The other thing I know is that he listens and he keeps track of what is important to other people. He will do it in, sometimes, quirky ways on little pieces of paper and things of that nature, but if you tell him something, if you raise something with him, it doesn't go in one ear and out the other. If it is important to you and the people you represent, he remembers it and tries his best to make it come to fruition. That was true in the Florida House, and that was true here. Those types of qualities are what build trust. That is why presiding officers have trusted him to be an Appropriations Chair in the House, and Appropriations Chair in the Florida Senate, to be in leadership roles really every session and year that he has served in the process. You have to have trust not only from the presiding officer, but from the people that you will be working with so that there is a comfort level that this is a person who will do the right thing.

The most important, or maybe equally important thing that I have learned from him is that you have to have vision. This man will lay out his vision, and we have heard it. We have heard it from here; we have heard it privately; whether it is the big issues or the small issues, he will tell you what he wants to achieve and find a road map to get there. He always knows that working with us, some of us, all of us, whoever, we are moving in a direction to accomplish something. While it is his vision, he is always open to new ideas to make it better and to make it run more smoothly. Because of that, he has been extremely successful during his presidency. He will leave the presidency having changed so much in the state from education, to the environment, to criminal justice, and so many other areas. I will continue to learn from you, admire you, and I am really proud to be your friend and your roommate.

**Senator Braynon:** Thank you, Senate President. You know, we have had a very good relationship as President and—you always call me Democratic Leader—but let's be honest, I'm the Minority Leader. But you know, the fact that you call me Democratic Leader has always made me realize that I'm not the minority. I'm just a leader of a group of people. You respect that, and you've always shown me that respect. You've never been someone that's said, "Well, you know, you have 15 or 16 and I have this many, so therefore, take it." You've always treated me as a leader and that's why you always refer to me as leader even though I am very informal. I'll say "Joe" and things like that; you keep referring to me as Leader.

I have learned a lot from you. I always prided myself on being a good personal communicator. If I stood in front of someone, I believed I could explain to them what I meant, and they would get it as if I'm talking to them all the time. You have taught me that I'm not as good as I thought. The perfect example is I have a tendency to say, "You know what I'm saying? You know what I mean?" You were probably one of the only people that would say, "No, I don't know what you mean. I don't know what you're saying." And I was like, "Is he kidding? Does he not know?" So I do a new thing that I learned from him, which is, he keeps lists; he writes everything down. So before I would meet with him, I would write down what I mean, what I'm saying, therefore, I could go through it list by list and point by point. I'd look him in the face and then I would say, "Do you know what I mean?" He would say "yes" or "no" and then I would say, "All right, we will go back to that point and we'll go over it again." It was very formal, but it taught me to be an even better communicator. For a while there, I was thinking he knew exactly what I meant and it wouldn't happen. Then I would say, "Hey man, I said such and such," and he's like, "That's not exactly what you said," because he takes everything so literally. I got a lot better at that and I appreciate that.

This is a story that Chris Smith told me. He said, "The difference between the Minority Leader in the House and the Minority Leader in the Senate is, in the House, you are fighting against leadership; in the Senate, you are part of leadership." You've always kept me informed. I felt like a part of your leadership team, and I know that's not always the case when I've been here. I felt like somebody that was able to help you with your priorities as you've helped me with my priorities. I felt like we've been able to run the chamber, and I've helped you as much as you've helped me. I've really appreciated your leadership, when necessary, and I appreciate your trust in me to be able to deliver and help you on things. I couldn't have asked for another member, a better member, to be the Yin to my Yang when I was Minority Leader. Let me tell you, I really like Andy; I mean, I even made angry faces for him. But I really, really appreciate what you've done, and I really wish you all the best, even though I don't know if you're leaving or not. But I hope that's a picture of just you and there is no picture of me behind you.

**Senator Benacquisto:** This may go down as one of the hardest things I do. The first time I met Joe Negron was not at a truck stop, but it was a diner. He has this recurring theme—he likes cheap restaurants in his life. It comes from his humble upbringing. I sit down at the table. I do not know him at all. I do not know anything about him. I was just instructed to meet with him because I was going to be a candidate for the Florida Senate. He walks in, he's very nice, and I sit down. I'm nervous, as you could imagine, because I don't really know anything about this. He starts arranging the knife and fork, and rearranging the knife and fork, and arranging the napkin, and rearranging the plate. I thought, "Holy mackerel, who is this guy? How is he going to help me? He can't even keep the plate straight on the table." It was so instructive as to who he is. We had a great meeting, he helped me, and I came to the Florida Senate.

Here's what makes it so hard today, because I said—when I was speaking of Senator Garcia—that I didn't know anything about this process. But you made me feel like I belonged. Other people said, "You're going to flame out. You don't know what you're doing. You'll trip and fall within your first week. You'll be an embarrassment." People actually said those things. But there's my trusty friend, Joe, to say, "Keep your chin up. You belong here. The people of your community had faith in you. We all have faith in you."

So, as a result of that friendship, you always stuck up for me when it was time for the next presiding officer to say, "Who should we place where?" That meant a lot because having to prove yourself from zero right at the beginning, for people to have the faith in all of us, to give us the opportunities that you've given us, that they gave us, allowed us to prove that we really did belong. We did have value. That, to me, meant the world.

It has been a crazy couple of years. We've taken bus rides to tour universities, and those are some of the most treasured memories that we'll have as a group. We've had so many, "I can't believe that just happened!" moments that are not fit for sharing here in the chamber today. I have three brothers that I love and cherish, but you have become number four. That is so important and wonderful.

I did get a hall pass from Mrs. Negron to say the following. I wouldn't do it otherwise, but she did give me permission. When it comes right down to it, you put everyone else in front of you. In the moments that it mattered most, where we had been here for 60 days fighting for the things that were important to us, you put us, all of us, before you. That rarely happens, but we are eternally grateful for that.

This year, we spent our time pushing you forward, making sure you got what you needed. I know everyone in this chamber is so glad to have done that. When that action happens and you're totally happy, it is something we're all very grateful to have been a part of making happen for you. This is not goodbye, because you're not going anywhere. I don't care what the paper said. Whatever you decide to do, you have a family here in addition to the wonderful family you have at home waiting for you. You have a family of people here who just think you're really cool, sometimes funny, really important in your focus for what's important and right. Thank you for always giving to each of us everything you have to make us successful. We very much appreciate you.

**Senator Flores:** I just wanted to say a couple of things. Senator Grimsley, today when she spoke, she talked about how we all start this process coming in here saying, "We're going to change the world. These

are the things we're going to do. We're going to eliminate the bureaucracy—we're going to do this; we're going to do that." Early on, we realize that we can't. You've heard me say before that while we can't change the whole world, every now and then, we can change the world for a person. Cumulatively, over the years, you look back and you say, "Wow, maybe I did kind of change the world."

I just want to focus on a couple of quick things that President Negron has focused on, not because a lobbyist asked, not because a special interest asked. Most of the time, in spite of the lobbyist and in spite of the special interest, things in Florida will be drastically different and will be a better place because of President Negron. You hear him talk about the men and women who shaped our community—origination credit to Senator Benacquisto for that phrase—but these are our frail and elderly Floridians, the people who made us who we are that are in nursing homes. A couple of years ago, he was preparing for what he would focus on. He said, "You know, I think that we'd really like to provide more money for nursing homes to be able to really focus on quality of care." So he started this session saying he wanted to put in an extra \$50 million for nursing homes. After that, he asked me to be in Health and Human Services Appropriations. I said, "Okay, well, I don't know where we're going to find the money for that, but we'll figure out a way." Many times over the last week, we did not think that could happen. Many times over the last couple of days, the President turned to a couple of folks and said, "Don't worry about getting it to 50. Let's make it less. Let's take care of some other things." We said, "No. This is what you said you were going to do, and this is what we're going to do." For those men and women who shape our community, you made their lives better.

Then, he had this idea to make our universities destination universities, a place where people from across the country would want to come for our universities. He said, "Let's get on a bus and let's go visit all 12 state universities." We said, "Okay." When we went to the state universities—again, we didn't meet with the donors, the board of trustees, the lobbyists—we met with the students, and in many of the universities, they would bring us the best students. He said, "No, I want to just go through the student union. I want to go sit around and just talk to people and listen to what they say, listen to their ideas." The ideas that we've passed in Senate Bill 4, the ideas that we've passed on the floor, came from those very students, and our universities will be infinitely better because of that.

Then lastly, his focus on the environment. When President Negron said that he wanted to end the discharges that were coming from Lake Okeechobee—that he didn't want to see the guacamole water anymore—we all said, "Okay, let's see how that goes." He put together the very ambitious plan, a plan that nobody ever thought was going to happen. Many times, the plan was dared that it wouldn't even get a hearing in a committee, much less pass and become law and get signed by the Governor. It did; it happened, and it is 100 percent because of your tenacity.

With that, I'm going to present to you a man who will choose Chick-fil-A over a 5-star restaurant every single time. He'll choose Pepperidge Farm cakes over any fancy sweets every time. He is someone who is a true public servant and beyond loyal, and every single time, will look to somebody else's interests before his own. Our President, Joe Negron.

President Negron, we had to make room for a new portrait, so we had to retire a past Senate President, President Calkins. President Negron, I know you want to make some comments about President Calkins.

## RETIRING OF PORTRAIT

**President Negron:** Thank you very much. Yes, I did want to talk about him because it's amazing how many similarities there are between his work and our work. He was President of the Senate in 1919, and served in the Senate from 1910-1921. He was a lawyer from Fernandina and Mayor of Fernandina. At the time he came to the Senate, and was Senate President, World War I had just been completed. Since we're a little informal here, does anyone want to guess what the population of Florida was in 1920? Over 962,000, so we had less than a million residents in Florida at that time. So they had their own version of a "Visit Florida" fight. The Governor always won the "Visit Florida" fights back then, and even today. We've always been with the Governor on that issue, for the record. An enormous issue that legislative session was that the President came forward with an idea. He said, "We need to

start advertising Florida to the north and to the west." That's what they did. They started doing all the forms of advertising back then to have visitors and residents to move to Florida, and went from 962,000 to almost 21 million today. That was one of his accomplishments. Secondly, I'm not making this up; literally, there were many tens of thousands of returning soldiers and sailors that were coming back from World War I. He had an enormous emphasis on our universities and said that we want the soldiers and sailors that are coming back to Florida, that are residents, to be able to get a higher education. After his time of service in the Senate, he left Fernandina, and he moved to Miami. He practiced law in Miami until his death. That's a little bit about President James Calkins, President of the Senate in 1919.

## UNVEILING OF PORTRAIT

Senator Flores invited President Negron and his wife, Rebecca, to the front of the chamber where the President's portrait was unveiled by Sergeant at Arms Tim Hay. The portrait was created by artist Steve Childs of Leon Loard Commission Portraits.

## THE PRESIDENT PRESIDING

### ADDRESS BY THE PRESIDENT

**President Negron:** Well, thank you all very much. We have a lot of work to get done so I'm going to be brief. I'm not the most sentimental person in the world, but I did have a couple of things I wanted to mention. First, thanks to all of you. Obviously, serving as a presiding officer here in the Senate has been the honor of a lifetime, and I want to thank all of you for the opportunity for that to happen. You know, we're all affected by and formed by, I think primarily, how we grew up. By the time you're about 40 years old, you're just sort of a larger, more anxious version of what you were as a teenager in high school. So my growing up—I'm the oldest of seven boys—I never had aspired to be the center of attention and why should I be? I'm surrounded by strong, capable leaders that are here. All of you, I've met with to talk about things you wanted to try to accomplish. Self-promotion and attention-seeking were behaviors that were strongly discouraged in our household growing up. That helps explain why I want to get things done and I want to work hard, but I've never been the kind of person that thinks that people ought to make a big ado when I come walking into the room.

I want to thank a few people, a few of my colleagues who have been there every step of the way. Senator Flores—you will never find a fiercer jersey-wearer than Senator Flores. Senator Flores, thank you. Senator Benacquisto, the Rules Chair, has been unfailingly loyal from day one and has provided me with very wise counsel through all these years. Senator Galvano, who has said we roomed together for many years—he has what I call the "Galvano Swagger." I don't have that. I make up for that by writing things down in the budget notebook and then it actually gets done, and he does the same. But we all have our different talents. There are some similarities—my leadership race took three and a half years; his took three and a half weeks. I used to joke that I would just want to walk behind him and the pledge cards that fell out of his pocket, I could kind of pick up.

Speaker, thank you for your courtesy in coming over—it's very gracious of you. Congratulations on all the accomplishments that you had in K-12 education and empowering parents through the educators, letting them make decisions that they feel are best for their children. I have been happy to be part of making that happen, and I know you have been an incredible partner in sharing the vision I have for higher education. Thank you for your courtesy in coming by today.

Senator Bradley didn't know what he was getting into, but he took on Senate Bill 10 last session, and I appreciate you getting that bill across the finish line and signed into law by Governor Scott. Leader Braynon mentioned this, but he's done an admirable job serving his caucus, but has also worked with me as a partner to accomplish many things. I appreciate that, Leader Braynon. The last Senator I'll mention is the Majority Leader of the Senate, Senator Simpson. Senator Simpson has never lost a floor vote that I've needed in two years. Now, we have a few hours left, so let's see if we can keep that streak alive. He's all performance and all making it happen, so thank you for everything that you've done.

I'll be very abbreviated in this, but I just want to mention, as Senator Flores already did, thank you for the work that we've been able to do with Lake Okeechobee. I think it's going to make enormous differences in our communities—not just east of the lake—but also west of the lake, and to southwest Florida. I'm so proud that the project has been improved, it's being implemented, and our federal partners are on board. Someday we'll look back and say, "We've made a big difference there." That means a lot, so thank you.

As I've said, my focus on universities isn't about bragging rights. It's about the transformational power of education and opportunity. That's why I care about universities.

Senator Flores touched on it, but I'll try to get through this, because this is a little emotional. If I can't get through it, just remember what she said about nursing homes. Many of you have probably been to nursing homes. I've been to a lot of nursing homes. I enjoy going to nursing homes. When you go to a nursing home—and they know you're coming—the women that greet you, this is the highlight of their day. They wear their best dress. They're frequently in a wheelchair. Senator Benacquisto does get origination credit for the line, "These are the women who shaped our communities." They'll talk to you about what they've done. Many of them worked in factories during World War II making munitions and making sure we won the war. There's a certain elegance and dignity that they have, and so I've always felt an obligation to be on their side. I've done my best to keep my word, to honor my commitments, to fight relentlessly for all your budget priorities, and with that, I'm content. Thank you all.

### SPECIAL ORDER CALENDAR, continued

On motion by Senator Book, by unanimous consent—

**CS for SB 1628**—A bill to be entitled An act relating to sexual harassment; amending s. 11.045, F.S.; revising requirements for rules governing the registration of lobbyists who lobby the Legislature; creating s. 11.9006, F.S.; creating the Task Force on the Prevention of Sexual Harassment and Misconduct; requiring that the task force meet at 4-year intervals beginning on a specified date; providing for the staffing and the composition of the task force; prescribing duties of and requirements for the task force; requiring the task force to report its findings and recommendations to the Governor and the Legislature before a specified date; authorizing reimbursement for per diem and travel expenses; creating s. 112.3126, F.S.; providing definitions; prohibiting public officers, qualified candidates, agency employees, and lobbyists from sexually harassing any person; prohibiting public officers, qualified candidates, agency employees, and lobbyists from taking any retaliatory action against an individual for filing a complaint alleging certain violations; prohibiting the intentional or reckless disclosure of identifying information of the complainant under specified circumstances; requiring an individual who gains personal knowledge of an alleged violation to report it to the Commission on Ethics or the appropriate agency within a specified timeframe; prohibiting an individual from knowingly or recklessly filing a materially false complaint; authorizing an alleged victim to have a victim advocate and attorney present in any commission hearings held in response to a complaint or referral; amending s. 112.313, F.S.; defining the term "favor"; prohibiting an individual from offering or providing sexual favors, or offering or engaging in sexual conduct, in an effort to influence a public officer or employee or obtain his or her goodwill; defining the term "benefit"; amending ss. 112.3144 and 112.3145, F.S.; requiring certification of review of sexual harassment laws and policies on full and public disclosure of financial interests or statement of financial interests beginning on a specified date; specifying that failure to certify such review does not constitute an immaterial, inconsequential, or de minimis error or omission; reenacting and amending s. 112.317, F.S., relating to penalties for violations of the Code of Ethics for Public Officers and Employees; specifying penalties for certain violations of the act; requiring certain penalties to be paid into the Crimes Compensation Trust Fund; amending s. 112.3215, F.S.; revising requirements for registration of lobbyists who register to lobby before the executive branch or the Constitution Revision Commission; amending s. 112.324, F.S.; waiving the requirement that complaints alleging certain violations of the act be signed under oath or affirmation; authorizing a designated agency official to refer complaints alleging sexual harassment or sexual misconduct to the Commission on Ethics; specifying that the personal identifying information of an alleged victim of sexual harassment con-

tained in a complaint or referral and in related materials remains confidential and exempt from public records requirements; requiring the commission to report its findings and recommendations to the proper disciplinary official or body upon finding a violation of the act; requiring the proper disciplinary official or body to impose penalties within a specified timeframe; providing an effective date.

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

Senators Book and Benacquisto offered the following amendment which was moved by Senator Book and adopted:

**Amendment 1 (479972) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Present paragraphs (a) through (g) of subsection (2) of section 11.045, Florida Statutes, are redesignated as paragraphs (b) through (h), respectively, a new paragraph (a) is added to that subsection, and subsection (8) of that section is amended, to read:

11.045 Lobbying before the Legislature; registration and reporting; exemptions; penalties.—

(2) Each house of the Legislature shall provide by rule, or may provide by a joint rule adopted by both houses, for the registration of lobbyists who lobby the Legislature. The rule may provide for the payment of a registration fee. The rule may provide for exemptions from registration or registration fees. The rule shall provide that:

(a) *Each lobbyist shall certify, upon registration, that he or she has read the Code of Ethics for Public Officers and Employees in part III of chapter 112, and that he or she has read the rules governing conduct of members of the Legislature and legislative lobbyists.*

(8)(a) Any person required to be registered or to provide information pursuant to this section or pursuant to rules established in conformity with this section who knowingly fails to disclose any material fact required by this section or by rules established in conformity with this section, or who knowingly provides false information on any report required by this section or by rules established in conformity with this section, commits a noncriminal infraction, punishable by a fine not to exceed \$5,000. Such penalty shall be in addition to any other penalty assessed by a house of the Legislature pursuant to subsection (7).

(b) *The President of the Senate or the Speaker of the House of Representatives may suspend or revoke the registration of any person who is required to register as a lobbyist under this section who violates applicable rules prohibiting workplace harassment, including sexual harassment.*

Section 2. Section 112.3131, Florida Statutes, is created to read:

**112.3131 Workplace harassment and sexual harassment prohibited; agency requirements.**—

(1) *For purposes of this section, the term "agency" means any state, regional, county, local, or municipal governmental entity of this state, including the executive, judicial, or legislative branches; any department, division, bureau, commission, authority, or political subdivision of this state; any public school, state college, or state university; or any special district, as defined in s. 189.012; or any entity created by statute for a public purpose.*

(2) *Florida has a zero tolerance policy against workplace harassment, including sexual harassment. Every public officer and public employee of an agency must be committed to providing a safe and professional environment for conducting the business of the residents of this state. It is essential to the proper conduct and operation of government that harassment toward any individual based on race, color, religion, sex, national origin, age, disability, or marital status not be tolerated. To maintain the integrity of government, public officers and public employees must take appropriate action to eliminate prohibited harassment.*

(3) *Each agency must:*

(a) *Develop and publicly publish policies consistent with state and federal law which, at a minimum, provide:*

1. A statement affirming that Florida has zero tolerance for workplace harassment, including sexual harassment.

2. A strict prohibition against workplace harassment, including sexual harassment.

3. A definition of workplace harassment, which includes sexual harassment, and examples of prohibited conduct.

4. Processes for reporting workplace and sexual harassment, including the ability to report to individuals other than an immediate supervisor.

5. For the designation of a reporting contact of the opposite gender, where practical, for the purpose of receiving complaints.

6. For the designation of a reporting contact for individuals other than public officers or public employees.

7. Procedures for thoroughly investigating and promptly resolving reported workplace harassment.

8. A strict prohibition against retaliation for making a complaint.

9. A strict prohibition against making an intentionally or recklessly dishonest or malicious complaint.

10. Disciplinary consequences for violations of the policies, up to and including termination.

11. A strict prohibition on disclosing the personal identifying information of a complainant or information that would lead a reasonable person to be able to ascertain the identity of a complainant for any purpose other than reporting, investigating, or resolving a complaint before the allegations are disclosed pursuant to public records laws. The prohibition must state that penalties can range from reprimand to termination.

12. Procedures to limit the sharing of information regarding a complaint to individuals who need to know such information to carry out the policies.

13. Procedures to maintain confidentiality of a complaint and the identity of a complainant, to the extent allowed and practicable under existing law.

14. A requirement that all agreements with agents, contractors, and vendors also contain provisions prohibiting workplace harassment.

15. A list of available resources, such as the services of a victim advocate for a victim of workplace harassment, including sexual harassment.

(b) Disseminate the policies prohibiting workplace harassment to all of its public officers and public employees while also publicly publishing the document for access by all lobbyists, contractors, or individuals who do business with the agency.

(c) Maintain signed documents from public officers and public employees acknowledging completion of training and that they have received and understand the workplace harassment and sexual harassment policies. Lobbyists shall also acknowledge that they have received and understand all applicable workplace harassment policies, including those policies prohibiting sexual harassment.

(d) Provide annual training for all employees, with additional training provided for supervisors or other individuals designated to receive complaints of workplace harassment, including sexual harassment. The annual training must address workplace harassment, sexual harassment, undue influence, and sensitivity training.

(4) The state's commitment to providing a safe, professional environment free of workplace harassment requires continuous improvement and constant engagement at all levels. To achieve this goal, every agency shall review its policies, procedures, notifications, and training annually and update them as necessary.

Section 3. Present paragraphs (a) through (e) of subsection (3) of section 112.3215, Florida Statutes, are redesignated as paragraphs (b)

through (f), respectively, a new paragraph (a) is added to that subsection, and subsection (10) of that section is amended, to read:

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

(3) A person may not lobby an agency until such person has registered as a lobbyist with the commission. Such registration shall be due upon initially being retained to lobby and is renewable on a calendar year basis thereafter. Upon registration the person shall provide a statement signed by the principal or principal's representative that the registrant is authorized to represent the principal. The principal shall also identify and designate its main business on the statement authorizing that lobbyist pursuant to a classification system approved by the commission. The registration shall require each lobbyist to disclose, under oath, the following information:

(a) Each lobbyist shall certify that he or she has read the Code of Ethics for Public Officers and Employees contained in this part, and that he or she has read any rules governing the conduct of agency officials and lobbyists who lobby before an agency.

(10)(a) If the Governor and Cabinet learn that a person required to be registered pursuant to this section has violated an executive branch rule prohibiting workplace harassment or sexual harassment, the Governor and Cabinet may suspend or revoke the individual's registration.

(b) If the Governor and Cabinet find that a violation occurred, the Governor and Cabinet may reprimand the violator, censure the violator, or prohibit the violator from lobbying all agencies for a period not to exceed 2 years. If the violator is a lobbying firm, lobbyist, or principal, the Governor and Cabinet may also assess a fine of not more than \$5,000 to be deposited in the Executive Branch Lobby Registration Trust Fund.

Section 4. Subsection (8) of section 112.324, Florida Statutes, is amended to read:

112.324 Procedures on complaints of violations and referrals; public records and meeting exemptions.—

(8) If, in cases other than complaints or referrals against impeachable officers or members of the Legislature, upon completion of a full and final investigation by the commission, the commission finds that there has been a violation of this part or of s. 8, Art. II of the State Constitution, it is the duty of the commission to report its findings and recommend appropriate action to the proper disciplinary official or body as follows, and such official or body has the power to invoke the penalty provisions of this part, including the power to order the appropriate elections official to remove a candidate from the ballot for a violation of s. 112.3145 or s. 8(a) and (i), Art. II of the State Constitution:

(a) The President of the Senate and the Speaker of the House of Representatives, jointly, in any case concerning the Public Counsel, members of the Public Service Commission, members of the Public Service Commission Nominating Council, the Auditor General, or the director of the Office of Program Policy Analysis and Government Accountability.

(b) The Supreme Court, in any case concerning an employee of the judicial branch.

(c) The President of the Senate, in any case concerning an employee of the Senate; the Speaker of the House of Representatives, in any case concerning an employee of the House of Representatives; the President or the Speaker, in any case concerning a person who is required to register as a lobbyist under s. 11.045 for violations of workplace harassment or sexual harassment policies; or the President and the Speaker, jointly, in any case concerning an employee of a committee of the Legislature whose members are appointed solely by the President and the Speaker or in any case concerning an employee of the Public Counsel, Public Service Commission, Auditor General, or Office of Program Policy Analysis and Government Accountability.

(d) The Governor and the Cabinet, in any case concerning a person who is required to register as a lobbyist under s. 112.3215 for violations of workplace harassment, including sexual harassment. Additionally, a

political subdivision may suspend or revoke the lobbying privileges of any person authorized to lobby that political subdivision if he or she has been found to have violated for policies prohibiting workplace harassment, including sexual harassment.

(e) Except as otherwise provided by this part, the Governor, in the case of any other public officer, public employee, former public officer or public employee, candidate or former candidate, or person who is not a public officer or employee, other than lobbyists and lobbying firms under s. 112.3215 for violations of s. 112.3215.

(f)(e) The President of the Senate or the Speaker of the House of Representatives, whichever is applicable, in any case concerning a former member of the Legislature who has violated a provision applicable to former members or whose violation occurred while a member of the Legislature.

Section 5. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to workplace harassment; amending s. 11.045, F.S.; revising requirements for rules governing the registration of lobbyists who lobby the Legislature; authorizing the President of the Senate and the Speaker of the House of Representatives to suspend or revoke the lobbyist registration of a person who violates workplace harassment or sexual harassment rules; creating s. 112.3131, F.S.; defining the term “agency”; specifying the policy of the state regarding the prohibition against workplace harassment and sexual harassment; prescribing agency requirements regarding certain measures to eliminate workplace harassment and sexual harassment; amending s. 112.3215, F.S.; revising requirements for registration of lobbyists who register to lobby before the executive branch or the Constitution Revision Commission; authorizing the Governor and Cabinet to suspend or revoke the lobbyist registration of a person who violates workplace harassment or sexual harassment rules; amending s. 112.324, F.S.; requiring the Commission on Ethics to report findings and recommendations to the proper disciplinary official or body upon finding certain violations of law; providing an effective date.

On motion by Senator Book, by two-thirds vote, **CS for SB 1628**, as amended, was read the third time by title, passed, ordered engrossed, and then 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	Lee	Stewart
Brandes	Mayfield	Taddeo
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young
Farmer	Powell	
Flores	Rader	

Nays—None

Vote after roll call:

Yea—Hutson

**MOTIONS**

On motion by Senator Braynon, the rules were waived and time of adjournment was extended until 8:00 p.m.

By direction of the President, pursuant to Rule 4.3(3), the Senate reverted to—

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed SB 100, with amendment(s), and requests the concurrence of the Senate.

Portia Palmer, Clerk

**SB 100**—A bill to be entitled An act relating to identification card and driver license fees for veterans; amending ss. 322.051 and 322.14, F.S.; deleting fees for adding the word "Veteran" to an identification card or a driver license; revising acceptable forms of identification required to add the word "Veteran" to an identification card or a driver license; amending s. 322.135, F.S.; prohibiting tax collectors from charging certain driver license service fees to veterans who present specified forms of identification; providing an effective date.

**House Amendment 1 (583351) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Section 205.055, Florida Statutes, is created to read:

205.055 Exemptions; veterans, spouses of veterans and certain servicemembers, and low-income persons.—

(1) The following persons are entitled to an exemption from a business tax and any fees imposed under this chapter:

(a) A veteran of the United States Armed Forces who was honorably discharged upon separation from service, or the spouse or unremarried surviving spouse of such a veteran.

(b) The spouse of an active duty military servicemember who has relocated to the county or municipality pursuant to a permanent change of station order.

(c) A person who is receiving public assistance as defined in s. 409.2554.

(d) A person whose household income is below 130 percent of the federal poverty level based on the current year's federal poverty guidelines.

(2) A person must complete and sign, under penalty of perjury, a Request for Fee Exemption to be furnished by the local governing authority and provide written documentation in support of his or her request for an exemption under subsection (1).

(3) If a person who is exempt under subsection (1) owns a majority interest in a business with fewer than 100 employees, the business is exempt. Such person must complete and sign, under penalty of perjury, a Request for Fee Exemption to be furnished by the local governing authority and provide written documentation in support of his or her request for an exemption for the business under this subsection.

Section 2. Section 205.171, Florida Statutes, is repealed.

Section 3. Notwithstanding the provisions of this act, a municipality that imposes a business tax on merchants which is measured by gross receipts from the sale of merchandise or services, or both, may continue to impose such tax and may, by ordinance, revise the definition of the term “merchant.” However, the municipality may not revise the rate of the tax measured by gross sales.

Section 4. Paragraph (b) of subsection (8) of section 322.051, Florida Statutes, is amended to read:

322.051 Identification cards.—

(8)

(b)1. The word “Veteran” must ~~shall~~ be exhibited on the identification card of a veteran upon ~~the payment of an additional \$1 fee for the identification card and~~ the presentation of a copy of the person's:

a. DD Form 214, issued by the United States Department of Defense;

b. *Veteran health identification card, issued by the United States Department of Veterans Affairs;*

c. *Veteran identification card, issued by the United States Department of Veterans Affairs pursuant to the Veterans Identification Card Act of 2015, Pub. L. 114-31; or*

d. ~~Other another~~ acceptable form specified by the Department of Veterans' Affairs.

2. Until a veteran's identification card is next renewed, the veteran may have the word "Veteran" added to his or her identification card upon surrender of his or her current identification card, ~~payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund,~~ and presentation of any of the forms of identification specified in subparagraph 1 ~~a copy of his or her DD Form 214 or another acceptable form specified by the Department of Veterans' Affairs.~~ If the applicant is not conducting any other transaction affecting the identification card, a replacement identification card ~~must shall~~ be issued with the word "Veteran" without payment of the fee required in s. 322.21(1)(f)3.

Section 5. Paragraph (d) of subsection (1) of section 322.14, Florida Statutes, is amended to read:

322.14 Licenses issued to drivers.—

(1)

(d)1. The word "Veteran" ~~must shall~~ be exhibited on the driver license of a veteran upon ~~the payment of an additional \$1 fee for the license and~~ the presentation of a copy of the person's:

a. DD Form 214, issued by the United States Department of Defense;

b. *Veteran health identification card, issued by the United States Department of Veterans Affairs;*

c. *Veteran identification card, issued by the United States Department of Veterans Affairs pursuant to the Veterans Identification Card Act of 2015, Pub. L. 114-31; or*

d. ~~Other another~~ acceptable form specified by the Department of Veterans' Affairs.

2. Until a veteran's license is next renewed, the veteran may have the word "Veteran" added to his or her license upon surrender of his or her current license, ~~payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund,~~ and presentation of any of the forms of identification specified in subparagraph 1 ~~a copy of his or her DD Form 214 or another acceptable form specified by the Department of Veterans' Affairs.~~ If the applicant is not conducting any other transaction affecting the driver license, a replacement license ~~must shall~~ be issued with the word "Veteran" without payment of the fee required in s. 322.21(1)(e).

Section 6. Paragraph (c) of subsection (1) of section 322.135, Florida Statutes, is amended to read:

322.135 Driver license agents.—

(1) The department shall, upon application, authorize by inter-agency agreement any or all of the tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution in the several counties of the state, subject to the requirements of law, in accordance with rules of the department, to serve as its agent for the provision of specified driver license services.

(c) A service fee of \$6.25 ~~must shall~~ be charged, in addition to the fees set forth in this chapter, for providing all services pursuant to this chapter. The service fee may not be charged:

1. More than once per customer during a single visit to a tax collector's office.

2. For a reexamination requested by the Medical Advisory Board or required pursuant to s. 322.221.

3. For a voter registration transaction.

4. In violation of any federal or state law.

5. *To a veteran receiving any service pursuant to this chapter, upon presentation of a copy of the veteran's:*

a. *DD Form 214, issued by the United States Department of Defense;*

b. *Veteran health identification card, issued by the United States Department of Veterans Affairs;*

c. *Veteran identification card, issued by the United States Department of Veterans Affairs pursuant to the Veterans Identification Card Act of 2015, Pub. L. 114-31; or*

d. *Other acceptable form specified by the Department of Veterans' Affairs.*

Section 7. This act shall take effect July 1, 2018.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to taxes and fees for veterans and low-income persons; creating s. 205.055, F.S.; exempting certain persons and businesses from business taxes and fees; providing requirements for applying for such exemption; repealing s. 205.171, F.S., relating to exemptions allowed for disabled veterans of any war or their unremarried spouses; authorizing municipalities that impose certain business taxes on merchants to continue to impose such taxes; authorizing such municipalities to revise the definition of the term "merchant"; amending ss. 322.051 and 322.14, F.S.; deleting fees for adding the word "Veteran" to an identification card or driver license; revising acceptable forms of identification required for such addition; amending s. 322.135, F.S.; prohibiting tax collectors from charging certain driver license service fees to veterans who present specified forms of identification; providing an effective date.

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

Senator Brandes moved the following amendment to **House Amendment 1 (583351)**:

**Senate Amendment 1 (644860) (with title amendment) to House Amendment 1 (583351)**—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 20.23, Florida Statutes, is amended to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(1)(a) *The Department of Transportation shall consist of:*

1. *A central office, which establishes policies and procedures; and*

2. *Districts, which carry out projects as authorized or required under the policies and procedures of the central office established pursuant to this section.*

(b)(a) ~~The~~ head of the Department of Transportation is the Secretary of Transportation. The secretary shall be appointed by the Governor from among three persons nominated by the Florida Transportation Commission and shall be subject to confirmation by the Senate. The secretary shall serve at the pleasure of the Governor.

(c)(b) ~~The~~ secretary shall be a proven, effective administrator who, by a combination of education and experience, ~~clearly possesses shall~~ ~~clearly possess~~ a broad knowledge of the administrative, financial, and technical aspects of the development, operation, and regulation of transportation systems and facilities or comparable systems and facilities. *The secretary shall be a registered professional engineer in accordance with chapter 471 or the laws of another state; or, in lieu of*



professional engineer registration, the secretary may hold an advanced degree in an appropriate related discipline, such as a Masters of Business Administration, or have 10 years of relevant experience.

(d)(e) The secretary shall provide to the Florida Transportation Commission or its staff, such assistance, information, and documents as are requested by the commission or its staff to enable the commission to fulfill its duties and responsibilities.

(e)(d) The secretary may appoint up to three assistant secretaries who shall be directly responsible to the secretary and who shall perform such duties as are assigned by the secretary. The secretary shall designate to an assistant secretary the duties related to enhancing economic prosperity, including, but not limited to, the responsibility of liaison with the head of economic development in the Executive Office of the Governor. Such assistant secretary shall be directly responsible for providing the Executive Office of the Governor with investment opportunities and transportation projects that expand the state's role as a global hub for trade and investment and enhance the supply chain system in the state to process, assemble, and ship goods to markets throughout the eastern United States, Canada, the Caribbean, and Latin America. The secretary may delegate to any assistant secretary the authority to act in the absence of the secretary.

(f)(e) Any secretary appointed after July 5, 1989, and the assistant secretaries shall be exempt from the provisions of part III of chapter 110 and shall receive compensation commensurate with their qualifications and competitive with compensation for comparable responsibility in the private sector.

Section 2. Subsections (38) through (52) and (53) through (99) of section 316.003, Florida Statutes, are renumbered as subsections (39) through (53) and (55) through (101), respectively, present subsections (40), (51), (57), and (97) are amended, and new subsections (38) and (54) are added to that section, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

- (38) **MOBILE CARRIER.**—An electrically powered device that:
  - (a) Is operated on sidewalks and crosswalks and is intended primarily for transporting property;
  - (b) Weighs less than 80 pounds, excluding cargo;
  - (c) Has a maximum speed of 12.5 miles per hour; and
  - (d) Is equipped with a technology to transport personal property with the active monitoring of a property owner, and primarily designed to remain within 25 feet of the property owner.

A mobile carrier is not considered a vehicle or personal delivery device unless expressly defined by law as a vehicle or personal delivery device.

(41)(40) **MOTOR VEHICLE.**—Except when used in s. 316.1001, a self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, mobile carrier, personal delivery device, swamp buggy, or moped. For purposes of s. 316.1001, “motor vehicle” has the same meaning as provided in s. 320.01(1)(a).

(52)(51) **PERSONAL DELIVERY DEVICE.**—An electrically powered device that:

- (a) Is operated on sidewalks and crosswalks and intended primarily for transporting property;
- (b) Weighs less than 100 ~~80~~ pounds, excluding cargo;
- (c) Has a maximum speed of 10 miles per hour; and
- (d) Is equipped with technology to allow for operation of the device with or without the active control or monitoring of a natural person.

A personal delivery device is not considered a vehicle unless expressly defined by law as a vehicle. A mobile carrier is not considered a personal delivery device.

(54) **PLATOON.**—A group of two individual truck tractor semi-trailer combinations, transporting property in quantities that do not require placards, traveling in a unified manner at electronically coordinated speeds and following distances.

(59)(57) **PRIVATE ROAD OR DRIVEWAY.**—Except as otherwise provided in paragraph (81)(b) ~~(79)(b)~~, any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(98)(97) **VEHICLE.**—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except personal delivery devices, mobile carriers, and devices used exclusively upon stationary rails or tracks.

Section 3. Paragraph (b) of subsection (7) of section 316.008, Florida Statutes, is amended to read:

316.008 Powers of local authorities.—

(7)

(b)1. Except as provided in subparagraph 2., a personal delivery device and a mobile carrier may be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law. This paragraph does not restrict a county or municipality from otherwise adopting regulations for the safe operation of personal delivery devices and mobile carriers.

2. A personal delivery device may not be operated on the Florida Shared-Use Nonmotorized Trail Network created under s. 339.81 or components of the Florida Greenways and Trails System created under chapter 260.

Section 4. Section 316.0895, Florida Statutes, is amended to read:

316.0895 Following too closely.—

(1) The driver of a ~~motor~~ vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon, and the condition of, the highway. This subsection may not be construed to prevent overtaking and passing.

~~(2) It is unlawful for the driver of any motor truck, motor truck drawing another vehicle, or vehicle towing another vehicle or trailer, when traveling upon a roadway outside of a business or residence district, to follow within 300 feet of another motor truck, motor truck drawing another vehicle, or vehicle towing another vehicle or trailer. The provisions of this subsection shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks or other slow moving vehicles.~~

(2)(3) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

(3)(4) A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Section 5. Section 316.0896, Florida Statutes, is amended to read:

316.0896 Assistive truck platooning technology pilot project.—The Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall study the use and safe operation of driver-assistive truck platooning technology, as defined in s. 316.003, for the purpose of developing a pilot project to test vehicles that are equipped to operate using driver-assistive truck platooning technology.

(1) Upon conclusion of the study, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, may conduct an ongoing pilot project to test the use and safe operation of vehicles equipped with driver-assistive truck platooning technology.

(2) Notwithstanding ss. 316.0895 and 316.303, the Department of Transportation may conduct the pilot project in such a manner and at such locations as determined by the Department of Transportation based on the study and any initial findings and recommendations resulting from the pilot program.

(3) Before the start of the pilot project, manufacturers of driver-assistive truck platooning technology being tested or commercially operated in the pilot project must submit to the Department of Highway Safety and Motor Vehicles an instrument of insurance, a surety bond, or proof of self-insurance acceptable to the department in the amount of \$5 million.

(4) ~~After Upon conclusion of the initial phase of the pilot project, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall submit a preliminary report by June 30, 2018, which describes the results of the study and any findings or recommendations from the initial phase of the pilot project to the Governor, the President of the Senate, and the Speaker of the House of Representatives. After submission of the preliminary report, the Department of Transportation shall continue the pilot program through June 30, 2020, including expansion of authorized uses of driver-assistive truck platooning operations based on the findings and recommendations of the preliminary report, to allow the long-term testing and commercial operation of the use and safe operation of vehicles equipped with driver-assistive truck platooning technology. The Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall submit a final report on or before January 1, 2021, which describes the results of the preliminary report and any final findings or recommendations, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.~~

Section 6. Section 316.2071, Florida Statutes, is amended to read:

316.2071 Personal delivery devices and mobile carriers.—

(1) Notwithstanding any provision of law to the contrary, a personal delivery device or mobile carrier may operate on sidewalks and crosswalks, subject to s. 316.008(7)(b). A personal delivery device or mobile carrier operating on a sidewalk or crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances, except that the personal delivery device or mobile carrier must not unreasonably interfere with pedestrians or traffic and must yield the right-of-way to pedestrians on the sidewalk or crosswalk.

(2) A personal delivery device and a mobile carrier must:

(a) Obey all official traffic and pedestrian control signals and devices.

(b) For personal delivery devices, include a plate or marker that has a unique identifying device number and identifies the name and contact information of the personal delivery device operator.

(c) Be equipped with a braking system that, when active or engaged, enables the personal delivery device or mobile carrier to come to a controlled stop.

(3) A personal delivery device and a mobile carrier may not:

(a) Operate on a public highway except to the extent necessary to cross a crosswalk.

(b) Operate on a sidewalk or crosswalk unless the personal delivery device operator is actively controlling or monitoring the navigation and operation of the personal delivery device or a property owner remains within 25 feet of the mobile carrier.

(c) Transport hazardous materials as defined in s. 316.003.

(4) A person who owns and operates a personal delivery device in this state must maintain an insurance policy, on behalf of himself or herself and his or her agents, which provides general liability coverage of at least \$100,000 for damages arising from the combined operations of personal delivery devices under the entity's or agent's control.

Section 7. Subsections (3) through (6) of section 316.235, Florida Statutes, are renumbered as subsections (4) through (7), respectively, and a new subsection (3) is added to that section, to read:

316.235 Additional lighting equipment.—

(3) Any motor vehicle may be equipped with one or more lamps or devices underneath the motor vehicle as long as such lamps or devices do not emit light in violation of s. 316.2397(1) or (7) or s. 316.238.

Section 8. Subsection (3) of section 316.224, Florida Statutes, is amended to read:

316.224 Color of clearance lamps, identification lamps, side marker lamps, backup lamps, reflectors, and deceleration lights.—

(3) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber, or yellow, and except that the light illuminating the license plate shall be white and the light emitted by a backup lamp shall be white or amber. Deceleration lights as authorized by s. 316.235(6) ~~or 316.235(5)~~ shall display an amber color.

Section 9. Paragraph (c) of subsection (7) of section 316.2397, Florida Statutes, is amended to read:

316.2397 Certain lights prohibited; exceptions.—

(7) Flashing lights are prohibited on vehicles except:

(c) For the lamps authorized under subsections (1), (2), (3), (4), and (9), s. 316.2065, or s. 316.235(6) ~~or 316.235(5)~~ which may flash.

Section 10. Subsections (1) and (3) of section 316.2397, Florida Statutes, are amended to read:

316.2397 Certain lights prohibited; exceptions.—

(1) A ~~no~~ person may not ~~shall~~ drive or move or cause to be moved any vehicle or equipment upon any highway within this state with any lamp or device thereon showing or displaying a red, red and white, or blue light visible from directly in front thereof except for certain vehicles ~~hereinafter~~ provided in this section.

(3) Vehicles of the fire department and fire patrol, including vehicles of volunteer firefighters as permitted under s. 316.2398, may show or display red or red and white lights. Vehicles of medical staff physicians or technicians of medical facilities licensed by the state as authorized under s. 316.2398, ambulances as authorized under this chapter, and buses and taxicabs as authorized under s. 316.2399 may show or display red lights. Vehicles of the fire department, fire patrol, police vehicles, and such ambulances and emergency vehicles of municipal and county departments, public service corporations operated by private corporations, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the Department of Transportation, the Department of Agriculture and Consumer Services, and the Department of Corrections as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any county may operate emergency lights and sirens in an emergency. Wreckers, mosquito control fog and spray vehicles, and emergency vehicles of governmental departments or public service corporations may show or display amber lights when in actual operation or when a hazard exists provided they are not used going to and from the scene of operation or hazard without specific authorization of a law enforcement officer or law enforcement agency. Wreckers must use amber rotating or flashing lights while performing recoveries and loading on the roadside day or night, and may use such lights while towing a vehicle on wheel lifts, slings, or under reach if the operator of the wrecker deems such lights necessary. A flatbed, car carrier, or rollback may not use amber rotating or flashing lights when hauling a vehicle on the bed unless it creates a hazard to other motorists because of protruding objects. Further, escort vehicles may show or display amber lights when in the actual process of escorting overdimensioned equipment, material, or buildings as authorized by law. Vehicles owned or leased by private security agencies may show or display green and amber lights, with either color being no greater than 50 percent of the lights displayed, while the security personnel are engaged in security duties on private or public property.

Section 11. Section 316.2398, Florida Statutes, is amended to read:

316.2398 Display or use of red or red and white warning signals; motor vehicles of volunteer firefighters or medical staff.—

(1) A privately owned vehicle belonging to an active firefighter member of a regularly organized volunteer firefighting company or association, while en route to the fire station for the purpose of proceeding to the scene of a fire or other emergency or while en route to the scene of a fire or other emergency in the line of duty as an active firefighter member of a regularly organized firefighting company or association, may display or use red or red and white warning signals. ~~or~~ A privately owned vehicle belonging to a medical staff physician or technician of a medical facility licensed by the state, while responding to an emergency in the line of duty, may display or use red warning signals. *Warning signals must be visible from the front and from the rear of such vehicle, subject to the following restrictions and conditions:*

(a) No more than two red or red and white warning signals may be displayed.

(b) No inscription of any kind may appear across the face of the lens of the red or red and white warning signal.

(c) In order for an active volunteer firefighter to display such red or red and white warning signals on his or her vehicle, the volunteer firefighter must first secure a written permit from the chief executive officers of the firefighting organization to use the red or red and white warning signals, and this permit must be carried by the volunteer firefighter at all times while the red or red and white warning signals are displayed.

(2) ~~It is unlawful for any~~ A person who is not an active firefighter member of a regularly organized volunteer firefighting company or association or a physician or technician of the medical staff of a medical facility licensed by the state may not ~~to~~ display on any motor vehicle owned by him or her, at any time, any red or red and white warning signals as described in subsection (1).

(3) ~~It is unlawful for~~ An active volunteer firefighter may not ~~to~~ operate any red or red and white warning signals as authorized in subsection (1), except while en route to the fire station for the purpose of proceeding to the scene of a fire or other emergency, or while at or en route to the scene of a fire or other emergency, in the line of duty.

(4) ~~It is unlawful for~~ A physician or technician of the medical staff of a medical facility may not ~~to~~ operate any red warning signals as authorized in subsection (1), except when responding to an emergency in the line of duty.

(5) A violation of this section is a nonmoving violation, punishable as provided in chapter 318. In addition, ~~a any~~ volunteer firefighter who violates this section shall be dismissed from membership in the firefighting organization by the chief executive officers thereof.

Section 12. Subsection (1) and paragraphs (a), (c), (d), and (f) of subsection (2) of section 316.302, Florida Statutes, are amended to read:

316.302 Commercial motor vehicles; safety regulations; transporters and shippers of hazardous materials; enforcement.—

(1) *Except as otherwise provided in subsection (3):*

(a) All owners and drivers of commercial motor vehicles that are operated on the public highways of this state while engaged in interstate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

(b) Except as otherwise provided in this section, all owners or drivers of commercial motor vehicles that are engaged in intrastate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with the exception of 49 C.F.R. s. 390.5 as it relates to the definition of bus,~~ as such rules and regulations existed on December 31, 2017 ~~2012~~.

(c) The emergency exceptions provided by 49 C.F.R. s. 392.82 also apply to communications by utility drivers and utility contractor drivers during a Level 1 activation of the State Emergency Operations Center, as provided in the Florida Comprehensive Emergency Management plan, or during a state of emergency declared by executive order or proclamation of the Governor.

(d) Except as provided in ~~s. 316.215(5), and except as provided in s.~~ 316.228 for rear overhang lighting and flagging requirements for in-

trastate operations, the requirements of this section supersede all other safety requirements of this chapter for commercial motor vehicles.

(e) *For motor carriers engaged in intrastate commerce who are not carrying hazardous materials in amounts that require placards, the requirement for electronic logging devices and hours of service support documents shall take effect December 31, 2018.*

(2)(a) A person who operates a commercial motor vehicle solely in intrastate commerce not transporting any hazardous material in amounts that require placarding pursuant to 49 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b)(1) and ~~395.3 395.2(a) and (b).~~

(c) Except as provided in 49 C.F.R. s. 395.1, a person who operates a commercial motor vehicle solely in intrastate commerce not transporting any hazardous material in amounts that require placarding pursuant to 49 C.F.R. part 172 may not drive after having been on duty more than 70 hours in any period of 7 consecutive days or more than 80 hours in any period of 8 consecutive days if the motor carrier operates every day of the week. Thirty-four consecutive hours off duty shall constitute the end of any such period of 7 or 8 consecutive days. This weekly limit does not apply to a person who operates a commercial motor vehicle solely within this state while transporting, during harvest periods, any unprocessed agricultural products or unprocessed food or fiber that is subject to seasonal harvesting from place of harvest to the first place of processing or storage or from place of harvest directly to market or while transporting livestock, livestock feed, or farm supplies directly related to growing or harvesting agricultural products. Upon request of the Department of Highway Safety and Motor Vehicles, motor carriers shall furnish time records or other written verification to that department so that the Department of Highway Safety and Motor Vehicles can determine compliance with this subsection. These time records must be furnished to the Department of Highway Safety and Motor Vehicles within 2 days after receipt of that department's request. Falsification of such information is subject to a civil penalty ~~not to exceed \$100. The provisions of~~ This paragraph ~~does~~ not apply to operators of farm labor vehicles operated during a state of emergency declared by the Governor or operated pursuant to s. 570.07(21); and ~~does~~ not apply to drivers of utility service vehicles as defined in 49 C.F.R. s. 395.2.

(d) A person who operates a commercial motor vehicle solely in intrastate commerce not transporting any hazardous material in amounts that require placarding pursuant to 49 C.F.R. part 172 within a 150 air-mile radius of the location where the vehicle is based need not comply with 49 C.F.R. s. 395.8; if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii), (iii)(A) and (C), ~~395.1(e)(1)(iii)~~ and (v) are met. ~~If a driver is not released from duty within 12 hours after the driver arrives for duty, the motor carrier must maintain documentation of the driver's driving times throughout the duty period.~~

(f) A person who operates a commercial motor vehicle having a ~~declared~~ gross vehicle weight, gross vehicle weight rating, and gross combined weight rating of less than 26,001 pounds solely in intrastate commerce and who is not transporting hazardous materials in amounts that require placarding pursuant to 49 C.F.R. part 172, ~~or who is transporting petroleum products as defined in s. 376.301,~~ is exempt from subsection (1). However, such person must comply with 49 C.F.R. parts 382, 392, and 393; and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

Section 13. Subsection (3) of section 316.303, Florida Statutes, is amended to read:

316.303 Television receivers.—

(3) This section does not prohibit the use of an electronic display used in conjunction with a vehicle navigation system; an electronic display used by an operator of a vehicle equipped with autonomous technology, as defined in s. 316.003; or an electronic display used by an operator of a *platoon* or a vehicle equipped and operating with driver-assistive truck platooning technology, as defined in s. 316.003.

Section 14. Subsections (3) and (4) of section 316.515, Florida Statutes, are amended, and subsection (16) is added to that section, to read:

316.515 Maximum width, height, length.—

(3) **LENGTH LIMITATION.**—Except as otherwise provided in this section, length limitations apply solely to a semitrailer or trailer, and not to a truck tractor or to the overall length of a combination of vehicles. No combination of commercial motor vehicles coupled together and operating on the public roads may consist of more than one truck tractor and two trailing units. Unless otherwise specifically provided for in this section, a combination of vehicles not qualifying as commercial motor vehicles may consist of no more than two units coupled together; such nonqualifying combination of vehicles may not exceed a total length of 65 feet, inclusive of the load carried thereon, but exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. Notwithstanding any other provision of this section, a truck tractor-semitrailer combination engaged in the transportation of automobiles or boats may transport motor vehicles or boats on part of the power unit; and, except as may otherwise be mandated under federal law, an automobile or boat transporter semitrailer may not exceed 50 feet in length, exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer. The 50-foot length limitation does not apply to non-stinger-steered automobile or boat transporters that are 65 feet or less in overall length, exclusive of the load carried thereon, ~~or~~ to stinger-steered ~~automobile or~~ boat transporters that are 75 feet or less in overall length, exclusive of the load carried thereon, *or to stinger-steered automobile transporters that are 80 feet or less in overall length, exclusive of the load carried thereon.* For purposes of this subsection, a “stinger-steered automobile or boat transporter” is an automobile or boat transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit. *Automobile transporters operating under this subsection may backhaul cargo or general freight when the weight limits of s. 316.535 are not exceeded.* Notwithstanding paragraphs (a) and (b), any straight truck or truck tractor-semitrailer combination engaged in the transportation of horticultural trees may allow the load to extend up to an additional 10 feet beyond the rear of the vehicle, provided said trees are resting against a retaining bar mounted above the truck bed so that the root balls of the trees rest on the floor and to the front of the truck bed and the tops of the trees extend up over and to the rear of the truck bed, and provided the overhanging portion of the load is covered with protective fabric.

(a) *Straight trucks.*—A straight truck may not exceed a length of 40 feet in extreme overall dimension, exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. A straight truck may attach a forklift to the rear of the cargo bed, provided the overall combined length of the vehicle and the forklift does not exceed 50 feet. A straight truck may tow no more than one trailer, and the overall length of the truck-trailer combination may not exceed 68 feet, including the load thereon. Notwithstanding any other provisions of this section, a truck-trailer combination engaged in the transportation of boats, or boat trailers whose design dictates a front-to-rear stacking method may not exceed the length limitations of this paragraph exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer.

(b) *Semitrailers.*—

1. A semitrailer operating in a truck tractor-semitrailer combination may not exceed 48 feet in extreme overall outside dimension, measured from the front of the unit to the rear of the unit and the load carried thereon, exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads, unless it complies with subparagraph 2. A semitrailer which exceeds 48 feet in length and is used to transport divisible loads may operate in this state only if issued a permit under s. 316.550 and if such trailer meets the requirements of this chapter relating to vehicle equipment and safety. Except for highways on the tandem trailer truck highway network, public roads deemed unsafe for longer semitrailer vehicles or those roads on which such longer vehicles are determined not to be in the interest of public convenience shall, in conformance with s. 316.006, be restricted by the Department of Transportation or by the local authority to use by semitrailers not exceeding a length of 48 feet, inclusive of the load carried thereon but exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. Truck tractor-semitrailer combinations shall be afforded reasonable access to terminals; facilities for food, fuel, repairs, and rest; and points of loading and unloading.

2. A semitrailer which is more than 48 feet but not more than 57 feet in extreme overall outside dimension, as measured pursuant to subparagraph 1., may operate on public roads, except roads on the State Highway System which are restricted by the Department of Transportation or other roads restricted by local authorities, if:

a. The distance between the kingpin or other peg that locks into the fifth wheel of a truck tractor and the center of the rear axle or rear group of axles does not exceed 41 feet, or, in the case of a semitrailer used exclusively or primarily to transport vehicles in connection with motorsports competition events, the distance does not exceed 46 feet from the kingpin to the center of the rear axles; and

b. It is equipped with a substantial rear-end underride protection device meeting the requirements of 49 C.F.R. s. 393.86, “Rear End Protection.”

(c) *Tandem trailer trucks.*—

1. Except for semitrailers and trailers of up to 28 1/2 feet in length which existed on December 1, 1982, and which were actually and lawfully operating on that date, no semitrailer or trailer operating in a truck tractor-semitrailer-trailer combination may exceed a length of 28 feet in extreme overall outside dimension, measured from the front of the unit to the rear of the unit and the load carried thereon, exclusive of safety and energy conservation devices approved by the Department of Transportation for use on vehicles using public roads.

2. Tandem trailer trucks conforming to the weight and size limitations of this chapter and in immediate transit to or from a terminal facility as defined in this chapter may operate on the public roads of this state except for residential neighborhood streets restricted by the Department of Transportation or local jurisdictions. In addition, the Department of Transportation or local jurisdictions may restrict these vehicles from using streets and roads under their maintenance responsibility on the basis of safety and engineering analyses, provided that the restrictions are consistent with the provisions of this chapter. The Department of Transportation shall develop safety and engineering standards to be used by all jurisdictions when identifying public roads and streets to be restricted from tandem trailer truck operations.

3. Except as otherwise provided in this section, within 5 miles of the Federal National Network for large trucks, tandem trailer trucks shall be afforded access to terminals; facilities for food, fuel, repairs, and rest; and points of loading and unloading.

4. Notwithstanding the provisions of any general or special law to the contrary, all local system tandem trailer truck route review procedures must be consistent with those adopted by the Department of Transportation.

5. Tandem trailer trucks employed as household goods carriers and conforming to the weight and size limitations of this chapter shall be afforded access to points of loading and unloading on the public streets and roads of this state, except for streets and roads that have been restricted from use by such vehicles on the basis of safety and engineering analyses by the jurisdiction responsible for maintenance of the streets and roads.

(d) *Maxi-cube vehicles.*—Maxi-cube vehicles shall be allowed to operate on routes open to tandem trailer trucks under the same conditions applicable to tandem trailer trucks as specified by this section.

(4) **LOAD EXTENSION LIMITATION.**—The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, may not extend more than 3 feet beyond the front wheels of the vehicle or the front bumper of the vehicle if it is equipped with a bumper. *However, the load upon any stinger-steered automobile transporter may not extend more than 4 feet beyond the front bumper of the vehicle.*

(a) The limitations of this subsection do not apply to bicycle racks carrying bicycles on public sector transit vehicles.

(b) The provisions of this subsection shall not apply to a front-end loading collection vehicle, when:

1. The front-end loading mechanism and container or containers are in the lowered position;

2. The vehicle is engaged in collecting solid waste or recyclable or recovered materials;
3. The vehicle is being operated at speeds less than 20 miles per hour with the vehicular hazard-warning lights activated; and
4. The extension does not exceed 8 feet 6 inches.

(16) **TOWAWAY TRAILER TRANSPORTER COMBINATIONS.**—*An unladen power unit may tow two trailers or semitrailers when the combination is not used to carry property, the overall combination length does not exceed 82 feet, and the total gross weight of the combination does not exceed 26,000 pounds. The trailers or semitrailers must constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.*

Section 15. Subsection (3) is added to section 316.85, Florida Statutes, to read:

316.85 Autonomous vehicles; operation.—

(3) *The Florida Turnpike Enterprise and any authority formed under chapters 343, 348, and 349 may fund, construct, and operate facilities for the advancement of autonomous and connected innovative transportation technology solutions for the purposes of improving safety and decreasing congestion for the traveling public and to otherwise advance the enterprise's or authority's objectives as set forth under the Florida Transportation Code or the authority's enabling statutes, respectively.*

Section 16. Section 316.87, Florida Statutes, is amended to read:

316.87 Nonemergency medical transportation services.—

(1) To ensure the availability of nonemergency medical transportation services throughout the state, a provider licensed by the county or operating under a permit issued by the county may not be required to use a vehicle that is larger than needed to transport the number of persons being transported or that is inconsistent with the medical condition of the individuals receiving the nonemergency medical transportation services. This section does not apply to the procurement, contracting, or provision of paratransit transportation services, directly or indirectly, by a county or an authority, pursuant to the Americans with Disabilities Act of 1990, as amended.

(2)(a) *Subject to state and federal Medicaid requirements, Medicaid nonemergency transportation services may be provided to a Medicaid beneficiary by a transportation network company contracted with a Medicaid managed care plan, a transportation broker under contract with a Medicaid managed care plan, or a transportation broker under direct contract with the Agency for Health Care Administration. The Agency for Health Care Administration shall update the Non-Emergency Transportation Services Coverage Policy pursuant to this subsection by October 1, 2018. Requirements for transportation network companies and transportation network company drivers may not exceed those imposed under s. 627.748, except as necessary to conform to federal Medicaid transportation requirements administered by the Agency for Health Care Administration.*

(b) *This subsection may not be construed to expand or limit the existing transportation benefit provided to Medicaid beneficiaries or to require a Medicaid managed care plan to contract with a transportation network company or a transportation broker.*

Section 17. Subsection (9) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(9) Any person who does not hold a commercial driver license or commercial learner's permit and who is cited while driving a non-commercial motor vehicle for an infraction under this section other than a violation of s. 316.183(2), s. 316.187, or s. 316.189 when the driver exceeds the posted limit by 30 miles per hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court appearance, elect to attend in the location of his or her choice within this state a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles. In such a case, adjudication must be withheld and points, as provided by s. 322.27, may

not be assessed. However, a person may not make an election under this subsection if the person has made an election under this subsection in the preceding 12 months. A person may not make more than five elections within his or her lifetime under this subsection, *except that a person who is 30 years of age or older who has previously made five elections may make an election under this subsection if the person has not made an election in the preceding 36 months.* The requirement for community service under s. 318.18(8) is not waived by a plea of nolo contendere or by the withholding of adjudication of guilt by a court. If a person makes an election to attend a basic driver improvement course under this subsection, 18 percent of the civil penalty imposed under s. 318.18(3) shall be deposited in the State Courts Revenue Trust Fund; however, that portion is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35.

Section 18. Section 319.141, Florida Statutes, is amended to read:

319.141 Pilot rebuilt motor vehicle inspection program.—

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

(a) "Facility" means a rebuilt motor vehicle inspection facility authorized and operating under this section.

(b) "Rebuilt inspection services" means an examination of a rebuilt vehicle and a properly endorsed certificate of title, salvage certificate of title, or manufacturer's statement of origin and an application for a rebuilt certificate of title, a rebuilder's affidavit, a photograph of the junk or salvage vehicle taken before repairs began, *a photograph of the interior driver and passenger sides of the vehicle if airbags were previously deployed and replaced*, receipts or invoices for all major component parts, as defined in s. 319.30, and repairs which were changed, and proof that notice of rebuilding of the vehicle has been reported to the National Motor Vehicle Title Information System.

(2) ~~By July 1, 2015,~~ The department shall oversee a pilot program in Miami-Dade County to evaluate alternatives for rebuilt inspection services offered by existing private sector operators, including the continued use of private facilities, the cost impact to consumers, and the potential savings to the department.

(3) The department shall establish a memorandum of understanding that allows private parties participating in the pilot program to conduct rebuilt motor vehicle inspections and specifies requirements for oversight, bonding and insurance, procedures, and forms and requires the electronic transmission of documents.

(4) Before an applicant is approved or renewed, the department shall ensure that the applicant meets basic criteria designed to protect the public. At a minimum, the applicant shall meet all of the following requirements:

(a) Have and maintain a surety bond or irrevocable letter of credit in the amount of \$100,000 executed by the applicant.

(b) Secure and maintain a facility at a permanent *fixed* structure which has ~~an~~ an address identified by a county-issued tax folio number and recognized by the United States Postal Service where the only services provided on such property are rebuilt inspection services. The operator of a facility shall annually attest that:

1. He or she is not employed by or does not have an ownership interest in or other financial arrangement with the owner, operator, manager, or employee of a motor vehicle repair shop as defined in s. 559.903, a motor vehicle dealer as defined in s. 320.27(1)(c), a towing company, a vehicle storage company, a vehicle auction, an insurance company, a salvage yard, a metal retailer, or a metal rebuilder, from which he or she receives remuneration, directly or indirectly, for the referral of customers for rebuilt inspection services;

2. *There have been no changes to the ownership structure of the approved facility; and*

3. *The only services being provided by the operator of the facility at the property are rebuilt vehicle inspection services approved by the department.*

(c) Have and maintain garage liability and other insurance required by the department.

(d) Have completed criminal background checks of the owners, partners, and corporate officers and the inspectors employed by the facility.

(e) *Have a designated office and customer waiting area that is separate from and not within view of the vehicle inspection area. The vehicle inspection area must be capable of accommodating all vehicle types and must be equipped with cameras allowing the department to view and monitor every inspection.*

(f)(e) Meet any additional criteria the department determines necessary to conduct proper inspections.

(5) A participant in the program shall access vehicle and title information and enter inspection results through an electronic filing system authorized by the department and shall maintain records of each rebuilt vehicle inspection processed at such facility for at least 5 years.

(6) *A participant in the program may not conduct an inspection of a vehicle rebuilt before its purchase by the current applicant. Such vehicles must be inspected by the department.*

(7) *Any applicant for a rebuilt title that fails an initial rebuilt inspection may have that vehicle reinspected only by the department or the facility that conducted the original inspection.*

(8) *Any person or business authorized by the department to train, certify, or recertify operators and inspectors of private rebuilt motor vehicle inspection facilities may not certify or recertify itself or any of its employees.*

(9)(6) The department shall *conduct an onsite facility inspection at least twice a year and shall immediately terminate any operator from the program who fails to meet the minimum eligibility requirements specified in subsection (4). Before any a change in ownership or transfer of a rebuilt inspection facility, the current operator must give the department 45 days' written notice of the intended sale or transfer. The prospective owner or transferee must meet the eligibility requirements of this section and execute a new memorandum of understanding with the department before operating the facility.*

(10)(7) This section is repealed on July 1, 2020 ~~2018~~, unless saved from repeal through reenactment by the Legislature. *On or before January 1, 2019, the department shall submit a written report to the Governor, the President of the Senate, and the Speaker of the House of Representatives evaluating the current program and the benefits to the consumer and the department.*

Section 19. Paragraph (a) of subsection (1) and subsection (24) of section 320.01, Florida Statutes, are amended to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(1) “Motor vehicle” means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers, personal delivery devices *and mobile carriers* as defined in s. 316.003, special mobile equipment as defined in s. 316.003, vehicles that run only upon a track, bicycles, swamp buggies, or mopeds.

(24) “Apportionable vehicle” means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, ~~buses used in transportation of chartered parties,~~ and government-owned vehicles, which is used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and which is used for the transportation of persons for hire or is designed, used, or maintained primarily for the transportation of property and:

(a) Is a power unit having a gross vehicle weight in excess of 26,000 pounds;

(b) Is a power unit having three or more axles, regardless of weight; or

(c) Is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight.

Vehicles, or combinations thereof, having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles may be proportionally registered.

Section 20. Subsection (19) of section 320.02, Florida Statutes, is amended, and paragraph (v) is added to subsection (15) of that section, to read:

320.02 Registration required; application for registration; forms.—

(15)

(v) *Notwithstanding s. 320.023, the application form for motor vehicle registration and renewal of registration must include language permitting a voluntary contribution of \$1 per applicant to aid research in Alzheimer's disease or related forms of dementia. Contributions made pursuant to this paragraph shall be distributed to the Alzheimer's Association, Inc., for the purpose of such research conducted within the state.*

For the purpose of applying the service charge provided in s. 215.20, contributions received under this subsection are not income of a revenue nature.

(19) A personal delivery device *and a mobile carrier* as defined in s. 316.003 ~~are~~ is not required to satisfy the registration and insurance requirements of this section.

Section 21. Paragraph (b) of subsection (1) and paragraph (a) of subsection (3) of section 320.06, Florida Statutes, are amended to read:

320.06 Registration certificates, license plates, and validation stickers generally.—

(1)

(b)1. Registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for a 10-year period. At the end of the 10-year period, upon renewal, the plate shall be replaced. The department shall extend the scheduled license plate replacement date from a 6-year period to a 10-year period. The fee for such replacement is \$28, \$2.80 of which shall be paid each year before the plate is replaced, to be credited toward the next \$28 replacement fee. The fees shall be deposited into the Highway Safety Operating Trust Fund. A credit or refund may not be given for any prior years' payments of the prorated replacement fee if the plate is replaced or surrendered before the end of the 10-year period, except that a credit may be given if a registrant is required by the department to replace a license plate under s. 320.08056(8)(a). With each license plate, a validation sticker shall be issued showing the owner's birth month, license plate number, and the year of expiration or the appropriate renewal period if the owner is not a natural person. The validation sticker shall be placed on the upper right corner of the license plate. The license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The registration period is 12 months, the extended registration period is 24 months, and all expirations occur based on the applicant's appropriate registration period.

2. *Before October 1, 2019, a vehicle that has an apportioned registration shall be issued an annual license plate and a cab card denoting that denote the declared gross vehicle weight for each apportioned jurisdiction in which the vehicle is authorized to operate.*

3. *Beginning October 1, 2019, a vehicle registered in accordance with the International Registration Plan shall be issued a license plate for a 5-year period, an annual cab card denoting the declared gross vehicle weight, and an annual validation sticker showing the month and year of expiration. The validation sticker shall be placed in the center of the license plate. The license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The fee for the in-*

*initial validation sticker and any renewed validation sticker is \$28. This fee shall be deposited into the Highway Safety Operating Trust Fund. A damaged or worn license plate may be replaced at no charge by applying to the department and surrendering the current license plate.*

4.2. In order to retain the efficient administration of the taxes and fees imposed by this chapter, the 80-cent fee increase in the replacement fee imposed by chapter 2009-71, Laws of Florida, is negated as provided in s. 320.0804.

(3)(a) Registration license plates must be made of metal specially treated with a retroreflection material, as specified by the department. The registration license plate is designed to increase nighttime visibility and legibility and must be at least 6 inches wide and not less than 12 inches in length, unless a plate with reduced dimensions is deemed necessary by the department to accommodate motorcycles, mopeds, or similar smaller vehicles. Validation stickers must also be treated with a retroreflection material, must be of such size as specified by the department, and must adhere to the license plate. The registration license plate must be imprinted with a combination of bold letters and numerals or numerals, not to exceed seven digits, to identify the registration license plate number. The license plate must be imprinted with the word "Florida" at the top and the name of the county in which it is sold, the state motto, or the words "Sunshine State" at the bottom. Apportioned license plates must have the word "Apportioned" at the bottom and license plates issued for vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have the word "Restricted" at the bottom. License plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Dealer" at the bottom *unless the license plate is a specialty license plate as authorized in s. 320.08056*. Manufacturer license plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Manufacturer" at the bottom. License plates issued for vehicles taxed under s. 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at the bottom. Any county may, upon majority vote of the county commission, elect to have the county name removed from the license plates sold in that county. The state motto or the words "Sunshine State" shall be printed in lieu thereof. A license plate issued for a vehicle taxed under s. 320.08(6) may not be assigned a registration license number, or be issued with any other distinctive character or designation, that distinguishes the motor vehicle as a for-hire motor vehicle.

Section 22. Section 320.0605, Florida Statutes, is amended to read:

320.0605 Certificate of registration; possession required; exception.—

(1)(a) The registration certificate or an official copy thereof, *including an electronic copy in a format authorized by the department, a true copy or an electronic copy* of rental or lease documentation issued for a motor vehicle or issued for a replacement vehicle in the same registration period, a temporary receipt printed upon self-initiated electronic renewal of a registration via the Internet, or a cab card issued for a vehicle registered under the International Registration Plan shall, at all times while the vehicle is being used or operated on the roads of this state, be in the possession of the operator thereof or be carried in the vehicle for which issued and shall be exhibited upon demand of any authorized law enforcement officer or any agent of the department, except for a vehicle registered under s. 320.0657. ~~The provisions of This section does not apply during the first 30 days after purchase of a replacement vehicle. A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.~~

(b)1. *The act of presenting to a law enforcement officer or agent of the department an electronic device displaying an electronic copy of the registration certificate or the rental or lease documentation does not constitute consent for the officer or agent to access any information on the device other than the displayed registration certificate or rental or lease documentation.*

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

(2) Rental or lease documentation that is sufficient to satisfy the requirement in subsection (1) includes the following:

- (a) ~~Date of rental and time of exit from rental facility;~~
- (b) Rental station identification;
- (c) Rental agreement number;
- (d) Rental vehicle identification number;
- (e) Rental vehicle license plate number and state of registration;
- (f) Vehicle's make, model, and color;
- (g) Vehicle's mileage; and
- (h) Authorized renter's name.

Section 23. Subsection (5) of section 320.0607, Florida Statutes, is amended to read:

320.0607 Replacement license plates, validation decal, or mobile home sticker.—

(5) Upon the issuance of an original license plate, the applicant shall pay a fee of \$28 to be deposited in the Highway Safety Operating Trust Fund. *Beginning October 1, 2019, this subsection does not apply to a vehicle registered under the International Registration Plan.*

Section 24. Paragraph (b) of subsection (2) of section 320.0657, Florida Statutes, is amended to read:

320.0657 Permanent registration; fleet license plates.—

(2)

(b) The plates, which shall be of a distinctive color, shall have the word "Fleet" appearing at the bottom and the word "Florida" appearing at the top *unless the license plate is a specialty license plate as authorized in s. 320.08056*. The plates shall conform in all respects to the provisions of this chapter, except as specified herein. *For additional fees as set forth in s. 320.08056, fleet companies may purchase specialty license plates in lieu of the standard fleet license plates. Fleet companies shall be responsible for all costs associated with the specialty license plate, including all annual use fees, processing fees, fees associated with switching license plate types, and any other applicable fees.*

Section 25. Subsection (12) of section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(3), tri-vehicles as defined in s. 316.003, and mobile homes as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised motor vehicle dealer, independent motor vehicle dealer, marine boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund. *For additional fees as set forth in s. 320.08056, dealers may purchase specialty license plates in lieu of the standard graphic dealer license plates. Dealers shall be responsible for all costs associated with the specialty license plate, including all annual use fees, processing fees, fees associated with switching license plate types, and any other applicable fees.*

Section 26. Section 320.08053, Florida Statutes, is amended to read:

320.08053 ~~Establishment of Requirements for requests to establish~~ specialty license plates.—

(1) If a specialty license plate requested by an organization is approved by law, the organization must submit the proposed art design for the specialty license plate to the department, in a medium prescribed by the department, as soon as practicable, but no later than 60 days after the act approving the specialty license plate becomes a law.

(2)(a) Within 120 days ~~after following~~ the specialty license plate ~~becomes becoming~~ law, the department shall establish a method to issue a specialty license plate voucher to allow for the presale of the specialty

license plate. The processing fee as prescribed in s. 320.08056, the service charge and branch fee as prescribed in s. 320.04, and the annual use fee as prescribed in s. 320.08056 shall be charged for the voucher. All other applicable fees shall be charged at the time of issuance of the license plates.

(b) Within 24 months after the presale specialty license plate voucher is established, the approved specialty license plate organization must record with the department a minimum of 3,000 ~~1,000~~ voucher sales, or in the case of an out-of-state college or university license plate, 4,000 voucher sales, before manufacture of the license plate may begin ~~commence~~. If, at the conclusion of the 24-month presale period, the minimum sales ~~requirement has requirements have~~ not been met, the specialty plate is deauthorized and the department shall discontinue development of the plate and discontinue issuance of the presale vouchers. Upon deauthorization of the license plate, a purchaser of the license plate voucher may use the annual use fee collected as a credit towards any other specialty license plate or apply for a refund on a form prescribed by the department.

(3)(a) *New specialty license plates that have been approved by law but are awaiting issuance under paragraph (b) shall be issued in the order they appear in s. 320.08056(4) provided that they have met the presale requirement. All other provisions of this section must also be met before a plate is issued. If the next awaiting specialty license plate has not met the presale requirement, the department shall proceed in the order provided in s. 320.08056(4) to identify the next qualified specialty license plate that has met the presale requirement. The department shall cycle through the list in statutory order.*

(b) *If the Legislature has approved 125 or more specialty license plates, the department may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued pursuant to s. 320.08056(8) such that the number of plates being issued does not exceed 125. Notwithstanding s. 320.08056(8)(a), the 125-license-plate limit includes license plates above the minimum sales threshold and those exempt from that threshold.*

Section 27. Subsection (2) of section 320.08056, Florida Statutes, is amended, present paragraphs (ff) through (ddd), (fff) through (ppp), and (sss) through (eeee) of subsection (4) are redesignated as paragraphs (ee) through (ccc), (ddd) through (nnn), and (ooo) through (aaaa), respectively, present paragraphs (ee), (eee), (qqq), and (rrr) of that subsection are amended, new paragraphs (bbbb) through (eeee) and paragraphs (ffff) through (oooo) are added to that subsection, paragraphs (c) through (f) are added to subsection (8), paragraph (a) of subsection (10) and subsection (11) are amended, and present subsection (12) is renumbered as subsection (13) and a new subsection (12) is added to that section, to read:

#### 320.08056 Specialty license plates.—

(2)(a) The department shall issue a specialty license plate to the owner or lessee of any motor vehicle, except a vehicle registered under the International Registration Plan, a commercial truck required to display two license plates pursuant to s. 320.0706, or a truck tractor, upon request and payment of the appropriate license tax and fees.

(b) *The department may authorize dealer and fleet specialty license plates. With the permission of the sponsoring specialty license plate organization, a dealer or fleet company may purchase specialty license plates to be used on dealer and fleet vehicles.*

(c) *Notwithstanding s. 320.08058, a dealer or fleet specialty license plate must include the letters “DLR” or “FLT” on the right side of the license plate. Dealer and fleet specialty license plates must be ordered directly through the department.*

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

~~(ee) American Red Cross license plate, \$25.~~

~~(eee) Donate Organs Pass It On license plate, \$25.~~

~~(qqq) St. Johns River license plate, \$25.~~

~~(rrr) Hispanic Achievers license plate, \$25.~~

~~(bbbb) Beat Childhood Cancer license plate, \$25.~~

~~(cccc) Auburn University license plate, \$50.~~

~~(dddd) Donate Life Florida license plate, \$25.~~

~~(eeee) Florida State Beekeepers Association license plate, \$25.~~

~~(ffff) Rotary license plate, \$25.~~

~~(gggg) Florida Bay Forever license plate, \$25.~~

~~(hhhh) Bonefish and Tarpon Trust license plate, \$25.~~

~~(iiii) Medical Professionals Who Care license plate, \$25.~~

~~(jjjj) University of Georgia license plate, \$50.~~

~~(kkkk) Highwaymen license plate, \$25.~~

~~(llll) Ducks Unlimited license plate, \$25.~~

~~(mmmm) Dan Marino Campus license plate, \$25.~~

~~(nnnn) University of Alabama license plate, \$50.~~

~~(oooo) Orlando City Soccer Club license plate, \$25.~~

~~(8)~~

*(c) A vehicle owner or lessee issued a specialty license plate that has been discontinued by the department may keep the discontinued specialty license plate for the remainder of the 10-year license plate replacement period and must pay all other applicable registration fees. However, such owner or lessee is exempt from paying the applicable specialty license plate fee under subsection (4) for the remainder of the 10-year license plate replacement period.*

*(d) If the department discontinues issuance of a specialty license plate, all annual use fees held or collected by the department shall be distributed within 180 days after the date the specialty license plate is discontinued. Of those fees, the department shall retain an amount sufficient to defray the applicable administrative and inventory closeout costs associated with discontinuance of the plate. The remaining funds shall be distributed to the appropriate organization or organizations pursuant to s. 320.08058.*

*(e) If an organization that is the intended recipient of the funds pursuant to s. 320.08058 no longer exists, the department shall deposit any undisbursed funds into the Highway Safety Operating Trust Fund.*

*(f) Notwithstanding paragraph (a), on January 1 of each year, the department shall discontinue the specialty license plate with the fewest number of plates in circulation, including license plates exempt from a statutory sales requirement. A warning letter shall be mailed to the sponsoring organizations of the 10 percent of specialty license plates with the lowest number of valid, active registrations as of December 1 of each year.*

(10)(a) A specialty license plate annual use fee collected and distributed under this chapter, or any interest earned from those fees, may not be used for commercial or for-profit activities nor for general or administrative expenses, except as authorized by s. 320.08058 or to pay the cost of the audit or report required by s. 320.08062(1). The fees and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of United States Armed Forces and veterans-related specialty license plates pursuant to paragraphs (4)(d), (bb), (kk), (iii), and (uuu) ~~(ll), (kkk), and (yyy)~~ and s. 320.0891 or out-of-state college or university license plates pursuant to paragraphs (4)(ccc), (jjj), and (nnnn).

(11) The annual use fee from the sale of specialty license plates, the interest earned from those fees, or any fees received by any entity ~~an agency~~ as a result of the sale of specialty license plates may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, an employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or an elected member or employee of the Legislature.



(12) For out-of-state college or university license plates created pursuant to this section, the recipient organization shall:

(a) Have established an endowment, based in this state, for the purpose of providing scholarships to Florida residents meeting the requirements of this chapter.

(b) Provide documentation to the department that the organization and the department have the college's or university's consent to use an appropriate image on a license plate.

Section 28. Effective October 1, 2021, paragraph (a) of subsection (8) of section 320.08056, Florida Statutes, is amended to read:

320.08056 Specialty license plates.—

(8)(a) The department must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 3,000, or in the case of an out-of-state college or university license plate, 4,000, ~~1,000~~ plates for at least 12 consecutive months. A warning letter shall be mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations is below 3,000, or in the case of an out-of-state college or university license plate, 4,000 ~~1,000~~ plates. This paragraph does not apply to in-state collegiate license plates established under s. 320.08058(3), license plates of institutions in and entities of the State University System, specialty license plates that have statutory eligibility limitations for purchase, specialty license plates for which annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention, or Florida Professional Sports Team license plates established under s. 320.08058(9).

Section 29. Present subsections (32) through (56), (58) through (68), and (71) through (83) of section 320.08058, Florida Statutes, are renumbered as subsections (31) through (55), (56) through (66), and (67) through (79), respectively, paragraph (a) of subsection (3), paragraph (a) of subsection (7), paragraph (b) of subsection (11), present subsections (31), (48), (57), (65), (66), (69), and (70), and paragraph (b) of present subsection (80) are amended, and new subsections (80) through (83) and subsections (84) through (93) are added to that section, to read:

320.08058 Specialty license plates.—

(3) COLLEGIATE LICENSE PLATES.—

(a) The department shall develop a collegiate license plate as provided in this section for state and independent universities domiciled in this state. However, any collegiate license plate created or established after October 1, 2002, must comply with the requirements of s. 320.08053 and be specifically authorized by an act of the Legislature. Collegiate license plates must bear the colors and design approved by the department as appropriate for each state and independent university. The word "Florida" must be stamped across the bottom of the plate in small letters. *The department may consult with the University of Central Florida for the purpose of having the words "2017 Undeclared Champions" stamped on the University of Central Florida specialty license plate.*

(7) SPECIAL OLYMPICS FLORIDA LICENSE PLATES.—

(a) Special Olympics Florida license plates must contain the official Special Olympics Florida logo and must bear the colors and a design and colors that are approved by the department. The word "Florida" must be centered at the top bottom of the plate, and the words "Be a Fan" "Everyone Wins" must be centered at the bottom top of the plate.

(11) INVEST IN CHILDREN LICENSE PLATES.—

(b) The proceeds of the Invest in Children license plate annual use fee must be deposited into the Juvenile Crime Prevention and Early Intervention Trust Fund within the Department of Juvenile Justice. Based on the recommendations of the juvenile justice councils, the Department of Juvenile Justice shall use the proceeds of the fee to fund programs and services that are designed to prevent juvenile delinquency. ~~The department shall allocate moneys for programs and services within each county based on that county's proportionate share of the license plate annual use fee collected by the county.~~

~~(31) AMERICAN RED CROSS LICENSE PLATES.—~~

~~(a) Notwithstanding the provisions of s. 320.08053, the department shall develop an American Red Cross license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "American Red Cross" must appear at the bottom of the plate.~~

~~(b) The department shall retain all revenues from the sale of such plates until all startup costs for developing and issuing the plates have been recovered. Thereafter, 50 percent of the annual use fees shall be distributed to the American Red Cross Chapter of Central Florida, with statistics on sales of license plates, which are tabulated by county. The American Red Cross Chapter of Central Florida must distribute to each of the chapters in this state the moneys received from sales in the counties covered by the respective chapters, which moneys must be used for education and disaster relief in Florida. Fifty percent of the annual use fees shall be distributed proportionately to the three statewide approved poison control centers for purposes of combating bioterrorism and other poison-related purposes.~~

~~(47)(48) LIVE THE DREAM LICENSE PLATES.—~~

~~(a) The department shall develop a Live the Dream license plate as provided in this section. Live the Dream license plates must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Live the Dream" must appear at the bottom of the plate.~~

~~(b) The proceeds of the annual use fee shall be distributed to the Dream Foundation, Inc., to The Dream Foundation, Inc., shall retain the first \$60,000 in proceeds from the annual use fees as reimbursement for administrative costs, startup costs, and costs incurred in the approval process. Thereafter, up to 25 percent shall be used for continuing promotion and marketing of the license plate and concept. The remaining funds shall be used in the following manner:~~

~~1. Up to 5 percent may be used to administer, promote, and market the license plate.~~

~~2.1. At least 30 Twenty-five percent shall be distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.~~

~~3.2. At least 30 Twenty-five percent shall be distributed to the Florida chapter of the March of Dimes for programs and services that improve the health of babies through the prevention of birth defects and infant mortality.~~

~~4.3. At least 15 Ten percent shall be distributed to the Florida Association of Healthy Start Coalitions to decrease racial disparity in infant mortality and to increase healthy birth outcomes. Funding will be used by local Healthy Start Coalitions to provide services and increase screening rates for high-risk pregnant women, children under 4 years of age, and women of childbearing age.~~

~~5.4. At least 15 Ten percent shall be distributed to Chapman the Community Partnership for Homeless, Inc., for programs that provide relief from poverty, hunger, and homelessness.~~

~~6. Up to 5 percent may be distributed by the department on behalf of The Dream Foundation, Inc., to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.~~

~~5. Five percent of the proceeds shall be used by the foundation for administrative costs directly associated with operations as they relate to the management and distribution of the proceeds.~~

~~(57) DONATE ORGANS PASS IT ON LICENSE PLATES.—~~

~~(a) The department shall develop a Donate Organs Pass It On license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Donate Organs Pass It On" must appear at the bottom of the plate.~~

~~(b) The annual use fees shall be distributed to Transplant Foundation, Inc., and shall use up to 10 percent of the proceeds from the annual use fee for marketing and administrative costs that are directly associated with the management and distribution of the proceeds. The remaining proceeds shall be used to provide statewide grants for patient~~

services, including preoperative, rehabilitative, and housing assistance; organ donor education and awareness programs; and statewide medical research.

~~(63)(65) LIGHTHOUSE ASSOCIATION LICENSE PLATES.—~~

(a) The department shall develop a Lighthouse Association license plate as provided in this section. The word “Florida” must appear at the top of the plate, and the words “*SaveOurLighthouses.org Visit Our Lights*” must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Lighthouse Association, Inc., which may use a maximum of 10 percent of the proceeds to promote and market the plates. The remaining proceeds shall be used by the association to fund the preservation, restoration, and protection of the 29 historic lighthouses remaining in the state.

~~(64)(66) IN GOD WE TRUST LICENSE PLATES.—~~

(a) The department shall develop an In God We Trust license plate as provided in this section. However, the requirements of s. 320.08053 must be met before the plates are issued. In God We Trust license plates must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “In God We Trust” must appear in the body of the plate.

(b) The license plate annual use fees shall be distributed to the In God We Trust Foundation, Inc., *which may use a maximum of 10 percent of the proceeds to offset marketing, administration, and promotion; the balance of the fees to address the needs of the military community; the needs of the public safety community; provide educational grants and scholarships to foster self-reliance and stability in Florida’s children; and provide education in public and private schools regarding the historical significance of religion in American and Florida history to fund educational scholarships for the children of Florida residents who are members of the United States Armed Forces, the National Guard, and the United States Armed Forces Reserve and for the children of public safety employees who have died in the line of duty who are not covered by existing state law. Funds shall also be distributed to other s. 501(c)(3) organizations that may apply for grants and scholarships and to provide educational grants to public and private schools to promote the historical and religious significance of American and Florida history. The In God We Trust Foundation, Inc., shall distribute the license plate annual use fees in the following manner:*

~~1. The In God We Trust Foundation, Inc., shall retain all revenues from the sale of such plates until all startup costs for developing and establishing the plate have been recovered.~~

~~2. Ten percent of the funds received by the In God We Trust Foundation, Inc., shall be expended for administrative costs, promotion, and marketing of the license plate directly associated with the operations of the In God We Trust Foundation, Inc.~~

~~3. All remaining funds shall be expended by the In God We Trust Foundation, Inc., for programs.~~

~~(69) ST. JOHNS RIVER LICENSE PLATES.—~~

(a) The department shall develop a St. Johns River license plate as provided in this section. The St. Johns River license plates must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “St. Johns River” must appear at the bottom of the plate.

(b) The requirements of s. 320.08053 must be met prior to the issuance of the plate. Thereafter, the license plate annual use fees shall be distributed to the St. Johns River Alliance, Inc., a s. 501(c)(3) nonprofit organization, which shall administer the fees as follows:

~~1. The St. Johns River Alliance, Inc., shall retain the first \$60,000 of the annual use fees as direct reimbursement for administrative costs, startup costs, and costs incurred in the development and approval process. Thereafter, up to 10 percent of the annual use fee revenue may be used for administrative costs directly associated with education programs, conservation, research, and grant administration of the organization, and up to 10 percent may be used for promotion and marketing of the specialty license plate.~~

~~2. At least 30 percent of the fees shall be available for competitive grants for targeted community based or county based research or projects for which state funding is limited or not currently available. The remaining 50 percent shall be directed toward community outreach and access programs. The competitive grants shall be administered and approved by the board of directors of the St. Johns River Alliance, Inc. A grant advisory committee shall be composed of six members chosen by the St. Johns River Alliance board members.~~

~~3. Any remaining funds shall be distributed with the approval of and accountability to the board of directors of the St. Johns River Alliance, Inc., and shall be used to support activities contributing to education, outreach, and springs conservation.~~

~~(70) HISPANIC ACHIEVERS LICENSE PLATES.—~~

(a) ~~Notwithstanding the requirements of s. 320.08053, the department shall develop a Hispanic Achievers license plate as provided in this section. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Hispanic Achievers” must appear at the bottom of the plate.~~

(b) ~~The proceeds from the license plate annual use fee shall be distributed to National Hispanic Corporate Achievers, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to fund grants to nonprofit organizations to operate programs and provide scholarships and for marketing the Hispanic Achievers license plate. National Hispanic Corporate Achievers, Inc., shall establish a Hispanic Achievers Grant Council that shall provide recommendations for statewide grants from available Hispanic Achievers license plate proceeds to nonprofit organizations for programs and scholarships for Hispanic and minority Floridians. National Hispanic Corporate Achievers, Inc., shall also establish a Hispanic Achievers License Plate Fund. Moneys in the fund shall be used by the grant council as provided in this paragraph. All funds received under this subsection must be used in this state.~~

(c) ~~National Hispanic Corporate Achievers, Inc., may retain all proceeds from the annual use fee until documented startup costs for developing and establishing the plate have been recovered. Thereafter, the proceeds from the annual use fee shall be used as follows:~~

~~1. Up to 5 percent of the proceeds may be used for the cost of administration of the Hispanic Achievers License Plate Fund, the Hispanic Achievers Grant Council, and related matters.~~

~~2. Funds may be used as necessary for annual audit or compliance affidavit costs.~~

~~3. Up to 20 percent of the proceeds may be used to market and promote the Hispanic Achievers license plate.~~

~~4. Twenty five percent of the proceeds shall be used by the Hispanic Corporate Achievers, Inc., located in Seminole County, for grants.~~

~~5. The remaining proceeds shall be available to the Hispanic Achievers Grant Council to award grants for services, programs, or scholarships for Hispanic and minority individuals and organizations throughout Florida. All grant recipients must provide to the Hispanic Achievers Grant Council an annual program and financial report regarding the use of grant funds. Such reports must be available to the public.~~

~~(d) Effective July 1, 2014, the Hispanic Achievers license plate will shift into the presale voucher phase, as provided in s. 320.08053(2)(b). National Hispanic Corporate Achievers, Inc., shall have 24 months to record a minimum of 1,000 sales. Sales include existing active plates and vouchers sold subsequent to July 1, 2014. During the voucher period, new plates may not be issued, but existing plates may be renewed. If, at the conclusion of the 24 month presale period, the requirement of a minimum of 1,000 sales has been met, the department shall resume normal distribution of the Hispanic Achievers license plate. If, after 24 months, the minimum of 1,000 sales has not been met, the department shall discontinue the Hispanic Achievers license plate. This subsection is repealed June 30, 2016.~~

~~(76)(80) FALLEN LAW ENFORCEMENT OFFICERS LICENSE PLATES.—~~

(b) The annual use fees shall be distributed to the Police and Kids Foundation, Inc., which may use up to a maximum of 10 percent of the proceeds for marketing to promote and market the plate. All remaining ~~The remainder of the~~ proceeds shall be distributed to and used by the Police and Kids Foundation, Inc., for its operations, activities, programs, and projects to invest and reinvest, and the interest earnings shall be used for the operation of the Police and Kids Foundation, Inc.

**(80) BEAT CHILDHOOD CANCER LICENSE PLATES.—**

(a) The department shall develop a Beat Childhood Cancer license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Beat Childhood Cancer” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed as follows:

1. Eighty percent shall be distributed to Beat Nb, Inc., which may use up to 10 percent of the proceeds for administrative costs directly associated with the operation of the corporation and for marketing and promoting the plate. The remaining proceeds shall be used by the corporation to fund pediatric cancer treatment and research.

2. Twenty percent shall be distributed to No Kid Should Know Cancer, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, which may use up to 5 percent of the proceeds for administrative costs and for the marketing of the plate. The balance of the fees shall be used by No Kid Should Know Cancer, Inc., to:

- a. Support families who have a child recently diagnosed with cancer;
- b. Hold events that raise awareness about childhood cancer; and
- c. Support clinical trials that work to provide better treatment plans for children diagnosed with cancer and, ultimately, a better prognosis.

3. All fees distributed from the sale of this plate must be spent for the designated purposes within the State of Florida.

**(81) AUBURN UNIVERSITY LICENSE PLATES.—**

(a) The department shall develop an Auburn University license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “War Eagle” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Tampa Bay Auburn Club, which must use the moneys for the purpose of awarding scholarships to Florida residents attending Auburn University. Students receiving these scholarships must be eligible for the Florida Bright Futures Scholarship Program pursuant to s. 1009.531 and shall use the scholarship funds for tuition and other expenses related to attending Auburn University.

**(82) DONATE LIFE FLORIDA LICENSE PLATES.—**

(a) The department shall develop a Donate Life Florida license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Donors Save Lives” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to Donate Life Florida, which may use up to 10 percent of the proceeds for marketing and administrative costs. The remaining proceeds of the annual use fees shall be used by Donate Life Florida to educate Florida residents on the importance of organ, tissue, and eye donation and for the continued maintenance of the Joshua Abbott Organ and Tissue Donor Registry.

**(83) FLORIDA STATE BEEKEEPERS ASSOCIATION LICENSE PLATES.—**

(a) The department shall develop a Florida State Beekeepers Association license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The

word “Florida” must appear at the top of the plate, and the words “Save the Bees” must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida State Beekeepers Association, a Florida nonprofit corporation. The Florida State Beekeepers Association may use up to 10 percent of the annual use fees for administrative, promotional, and marketing costs of the license plate.

(c) The remaining funds shall be distributed to the Florida State Beekeepers Association and shall be used to raise awareness of the importance of beekeeping to Florida agriculture by funding honeybee research, education, outreach, and husbandry. The Florida State Beekeepers Association board of managers must approve and is accountable for all such expenditures.

**(84) ROTARY LICENSE PLATES.—**

(a) The department shall develop a Rotary license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the word “Rotary” must appear on the bottom of the plate. The license plate must bear the Rotary International wheel emblem.

(b) The annual use fees shall be distributed to the Community Foundation of Tampa Bay, Inc., to be used as follows:

1. Up to 10 percent may be used for administrative costs and for marketing of the plate.

2. Ten percent shall be distributed to Rotary’s Camp Florida for direct support to all programs and services provided to children with special needs who attend the camp.

3. The remainder shall be distributed, proportionally based on sales, to each Rotary district in the state in support of Rotary youth programs in Florida.

**(85) FLORIDA BAY FOREVER LICENSE PLATES.—**

(a) The department shall develop a Florida Bay Forever license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Florida Bay Forever” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Florida National Park Association, Inc., which may use up to 10 percent of the proceeds for administrative costs and marketing of the plate. The remainder of the funds shall be used to supplement the Everglades National Park’s budgets and to support educational, interpretive, historical, and scientific research relating to the Everglades National Park.

**(86) BONEFISH AND TARPON TRUST LICENSE PLATES.—**

(a) The department shall develop a Bonefish and Tarpon Trust license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Bonefish and Tarpon Trust” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Bonefish and Tarpon Trust, which may use up to 10 percent of the proceeds to promote and market the license plate. The remainder of the proceeds shall be used to conserve and enhance Florida bonefish and tarpon fisheries and their respective environments through stewardship, research, education, and advocacy.

**(87) MEDICAL PROFESSIONALS WHO CARE LICENSE PLATES.—**

(a) The department shall develop a Medical Professionals Who Care license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Medical Professionals Who Care” must appear at the bottom of the plate.

(b) *The annual use fees from the sale of the plate shall be distributed to Florida Benevolent Group, Inc., a Florida nonprofit corporation, which may use up to 10 percent of such fees for administrative costs, marketing, and promotion of the plate. The remainder of the revenues shall be used by Florida Benevolent Group, Inc., to assist low-income individuals in obtaining a medical education and career through scholarships, support, and guidance.*

(88) **UNIVERSITY OF GEORGIA LICENSE PLATES.—**

(a) *The department shall develop a University of Georgia license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “The University of Georgia” must appear at the bottom of the plate.*

(b) *The annual use fees from the sale of the plate shall be distributed to the Georgia Bulldog Club of Jacksonville, which must use the moneys for the purpose of awarding scholarships to Florida residents attending the University of Georgia. Students receiving these scholarships must be eligible for the Florida Bright Futures Scholarship Program pursuant to s. 1009.531 and shall use the scholarship funds for tuition and other expenses related to attending the University of Georgia.*

(89) **HIGHWAYMEN LICENSE PLATES.—**

(a) *The department shall develop a Highwaymen license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the word “Highwaymen” must appear at the bottom of the plate.*

(b) *The annual use fees shall be distributed to the City of Fort Pierce, subject to a city resolution designating the city as the fiscal agent of the license plate. The city may use up to 10 percent of the fees for administrative costs and marketing of the plate and shall use the remainder of the fees as follows:*

1. *Before completion of construction of the Highwaymen Museum and African-American Cultural Center, the city shall distribute at least 15 percent to the St. Lucie Education Foundation, Inc., to fund art education and art projects in public schools within St. Lucie County. The remainder of the fees shall be used by the city to fund the construction of the Highwaymen Museum and African-American Cultural Center.*

2. *Upon completion of construction of the Highwaymen Museum and African-American Cultural Center, the city shall distribute at least 10 percent to the St. Lucie Education Foundation, Inc., to fund art education and art projects in public schools within St. Lucie County. The remainder of the fees shall be used by the city to fund the day-to-day operations of the Highwaymen Museum and African-American Cultural Center.*

(90) **DUCKS UNLIMITED LICENSE PLATES.—**

(a) *The department shall develop a Ducks Unlimited license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Conserving Florida Wetlands” must appear at the bottom of the plate.*

(b) *The annual use fees from the sale of the plate shall be distributed to Ducks Unlimited, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to be used as follows:*

1. *Up to 5 percent may be used for administrative costs and marketing of the plate.*

2. *At least 95 percent shall be used in this state to support the mission and efforts of Ducks Unlimited, Inc., to conserve, restore, and manage Florida wetlands and associated habitats for the benefit of waterfowl, other wildlife, and people.*

(91) **DAN MARINO CAMPUS LICENSE PLATES.—**

(a) *The department shall develop a Dan Marino Campus license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida”*

*must appear at the top of the plate, and the words “Marino Campus” must appear at the bottom of the plate.*

(b) *The annual use fees from the sale of the plate shall be distributed to the Dan Marino Foundation, a Florida nonprofit corporation, which may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the fees shall be used by the Dan Marino Foundation to assist Floridians with developmental disabilities in becoming employed, independent, and productive and to promote and fund education scholarships and awareness of these services.*

(92) **UNIVERSITY OF ALABAMA LICENSE PLATES.—**

(a) *The department shall develop a University of Alabama license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Roll Tide” must appear at the bottom of the plate.*

(b) *The annual use fees from the sale of the plate shall be distributed to Pensacola Bama Club, which must use the moneys for the purpose of awarding scholarships to Florida residents attending the University of Alabama. Students receiving these scholarships must be eligible for the Florida Bright Futures Scholarship Program pursuant to s. 1009.531 and shall use the scholarship funds for tuition and other expenses related to attending the University of Alabama.*

(93) **ORLANDO CITY SOCCER CLUB LICENSE PLATES.—**

(a) *The department shall develop an Orlando City Soccer Club license plate as provided in paragraph (9)(a).*

(b) *The annual use fees from the sale of the plate shall be distributed and used as provided in paragraph (9)(b).*

Section 30. Section 320.08062, Florida Statutes, is amended to read:

320.08062 Audits and attestations required; annual use fees of specialty license plates.—

(1)(a) All organizations that receive annual use fee proceeds from the department are responsible for ensuring that proceeds are used in accordance with ss. 320.08056 and 320.08058.

(b) Any organization not subject to audit pursuant to s. 215.97 shall annually attest, under penalties of perjury, that such proceeds were used in compliance with ss. 320.08056 and 320.08058. The attestation shall be made annually in a form and format determined by the department. *In addition, the department shall audit any such organization every 5 years to ensure proceeds have been used in compliance with ss. 320.08056 and 320.08058.*

(c) Any organization subject to audit pursuant to s. 215.97 shall submit an audit report in accordance with rules promulgated by the Auditor General. The annual attestation shall be submitted to the department for review within 9 months after the end of the organization’s fiscal year.

(2)(a) Within 120 days after receiving an organization’s audit or attestation, the department shall determine which recipients of revenues from specialty license plate annual use fees have not complied with subsection (1). In determining compliance, the department may commission an independent actuarial consultant, or an independent certified public accountant, who has expertise in nonprofit and charitable organizations.

(b) The department must discontinue the distribution of revenues to any organization failing to submit the required documentation as required in subsection (1), but may resume distribution of the revenues upon receipt of the required information.

(c) If the department or its designee determines that an organization has not complied or has failed to use the revenues in accordance with ss. 320.08056 and 320.08058, the department must discontinue the distribution of the revenues to the organization. The department shall notify the organization of its findings and direct the organization to make the changes necessary in order to comply with this chapter. If the officers of the organization sign an affidavit under penalties of perjury stating that they acknowledge the findings of the department and attest

that they have taken corrective action and that the organization will submit to a followup review by the department, the department may resume the distribution of revenues.

(d) If an organization fails to comply with the department's recommendations and corrective actions as outlined in paragraph (c), the revenue distributions shall be discontinued until completion of the next regular session of the Legislature. The department shall notify the President of the Senate and the Speaker of the House of Representatives by the first day of the next regular session of any organization whose revenues have been withheld as a result of this paragraph. If the Legislature does not provide direction to the organization and the department regarding the status of the undistributed revenues, the department shall deauthorize the plate and the undistributed revenues shall be immediately deposited into the Highway Safety Operating Trust Fund.

(3) The department or its designee has the authority to examine all records pertaining to the use of funds from the sale of specialty license plates.

Section 31. Paragraph (b) of subsection (4) of section 320.08068, Florida Statutes, is amended to read:

320.08068 Motorcycle specialty license plates.—

(4) A license plate annual use fee of \$20 shall be collected for each motorcycle specialty license plate. Annual use fees shall be distributed as follows:

(b) Twenty percent to *Preserve Vision Prevent Blindness* Florida.

Section 32. Subsections (5), (6), and (7) of section 320.0807, Florida Statutes, are amended to read:

320.0807 Special license plates for Governor and federal and state legislators.—

~~(5) Upon application by any current or former President of the Senate and payment of the fees prescribed by s. 320.0805, the department may issue a license plate stamped "Senate President" followed by the number assigned by the department or chosen by the applicant if it is not already in use. Upon application by any current or former Speaker of the House of Representatives and payment of the fees prescribed by s. 320.0805, the department may issue a license plate stamped "House Speaker" followed by the number assigned by the department or chosen by the applicant if it is not already in use.~~

~~(6)(a) Upon application by any former member of Congress or former member of the state Legislature, payment of the fees prescribed by s. 320.0805, and payment of a one time fee of \$500, the department may issue a former member of Congress, state senator, or state representative a license plate stamped "Retired Congress," "Retired Senate," or "Retired House," as appropriate, for a vehicle owned by the former member.~~

~~(b) To qualify for a Retired Congress, Retired Senate, or Retired House prestige license plate, a former member must have served at least 4 years as a member of Congress, state senator, or state representative, respectively.~~

~~(c) Four hundred fifty dollars of the one-time fee collected under paragraph (a) shall be distributed to the account of the direct support organization established pursuant to s. 272.136 and used for the benefit of the Florida Historic Capitol Museum, and the remaining \$50 shall be deposited into the Highway Safety Operating Trust Fund.~~

~~(5)(7) The department may create a unique plate design for plates to be used by members or former members of the Legislature or Congress as provided in subsections (2), (5), and (6).~~

Section 33. Section 320.0875, Florida Statutes, is created to read:

320.0875 Purple Heart special motorcycle license plate.—

(1) Upon application to the department and payment of the license tax for the motorcycle as provided in s. 320.08, a resident of the state who owns or leases a motorcycle that is not used for hire or commercial use shall be issued a Purple Heart special motorcycle license plate if he or she

*provides documentation acceptable to the department that he or she is a recipient of the Purple Heart medal.*

*(2) The Purple Heart special motorcycle license plate shall be stamped with the term "Combat-wounded Veteran" followed by the serial number of the license plate. The Purple Heart special motorcycle license plate may have the term "Purple Heart" stamped on the plate and the likeness of the Purple Heart medal appearing on the plate.*

Section 34. Paragraph (a) of subsection (1) of section 320.089, Florida Statutes, is amended to read:

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

(1)(a) Each owner or lessee of an automobile or truck for private use or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and a veteran of the United States Armed Forces, a Woman Veteran, a World War II Veteran, a Navy Submariner, an active or retired member of the Florida National Guard, a survivor of the attack on Pearl Harbor, a recipient of the Purple Heart medal, *a recipient of the Bronze Star*, an active or retired member of any branch of the United States Armed Forces Reserve, or a recipient of the Combat Infantry Badge, Combat Medical Badge, Combat Action Badge, Combat Action Ribbon, Air Force Combat Action Medal, or Distinguished Flying Cross, upon application to the department, accompanied by proof of release or discharge from any branch of the United States Armed Forces, proof of active membership or retired status in the Florida National Guard, proof of membership in the Pearl Harbor Survivors Association or proof of active military duty in Pearl Harbor on December 7, 1941, proof of being a Purple Heart medal recipient, *proof of being a Bronze Star recipient*, proof of active or retired membership in any branch of the United States Armed Forces Reserve, or proof of membership in the Combat Infantrymen's Association, Inc., proof of being a recipient of the Combat Infantry Badge, Combat Medical Badge, Combat Action Badge, Combat Action Ribbon, Air Force Combat Action Medal, or Distinguished Flying Cross, and upon payment of the license tax for the vehicle as provided in s. 320.08, shall be issued a license plate as provided by s. 320.06 which, in lieu of the serial numbers prescribed by s. 320.06, is stamped with the words "Veteran," "Woman Veteran," "WWII Veteran," "Navy Submariner," "National Guard," "Pearl Harbor Survivor," "Combat-wounded veteran," *"Bronze Star,"* "U.S. Reserve," "Combat Infantry Badge," "Combat Medical Badge," "Combat Action Badge," "Combat Action Ribbon," "Air Force Combat Action Medal," or "Distinguished Flying Cross," as appropriate, and a likeness of the related campaign medal or badge, followed by the serial number of the license plate. Additionally, the Purple Heart plate may have the words "Purple Heart" stamped on the plate and the likeness of the Purple Heart medal appearing on the plate.

Section 35. Subsection (10) is added to section 320.131, Florida Statutes, to read:

320.131 Temporary tags.—

*(10) Beginning October 1, 2018, the department may partner with a county tax collector to conduct a Fleet Vehicle Temporary Tag pilot program to provide temporary tags to fleet companies to allow them to operate fleet vehicles awaiting a permanent registration and title.*

*(a) The department shall establish a memorandum of understanding that allows a maximum of 10 companies to participate in the pilot program and receive multiple temporary tags for company fleet vehicles.*

*(b) To participate in the program, a fleet company must have a minimum of 3,500 fleet vehicles registered in this state which qualify to be registered as fleet vehicles pursuant to s. 320.0657.*

(c) *The department may issue up to 50 temporary tags at a time to an eligible fleet company, if requested by such company.*

(d) *The temporary tags are for exclusive use on vehicles purchased for the company's fleet, and may not be used on any other vehicle.*

(e) *Each temporary plate may be used on only one vehicle and each vehicle may only use one temporary plate.*

(f) *Upon issuance of the vehicle's permanent license plate and registration, the temporary tag becomes invalid and must be removed from the vehicle and destroyed.*

(g) *Upon a finding by the department that a temporary tag has been misused by a fleet company under this program, the department may terminate the memorandum of understanding with the company, invalidate all temporary tags issued to the company under the program, and require such company to return any unused temporary tags.*

(h) *This subsection is repealed on October 1, 2023, unless saved from repeal through reenactment by the Legislature.*

Section 36. Subsection (3) is added to section 320.95, Florida Statutes, to read:

320.95 Transactions by electronic or telephonic means.—

(3) *The department may authorize issuance of an electronic certificate of registration in addition to printing a paper registration certificate. A motor vehicle operator may present for inspection an electronic device displaying an electronic certificate of registration issued pursuant to this subsection in lieu of a paper registration certificate. Such presentation does not constitute consent for inspection of any information on the device other than the displayed certificate of registration. The person who presents the device for inspection assumes the liability for any resulting damage to the device.*

Section 37. *By November 1, 2018, the annual use fees withheld by the Department of Highway Safety and Motor Vehicles from the sale of the Live the Dream specialty license plate shall be used first to satisfy all outstanding royalty payments due to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., for the use of the image of Dr. Martin Luther King, Jr. All remaining funds shall be distributed to the sub-recipients on a pro rata basis according to the percentages specified in s. 320.08058(47), Florida Statutes.*

Section 38. Section 322.01, Florida Statutes, is amended to read:

322.01 Definitions.—As used in this chapter:

(1) “Actual weight” means the weight of a motor vehicle or motor vehicle combination plus the weight of the load carried on it, as determined at a fixed scale operated by the state or as determined by use of a portable scale operated by a law enforcement officer.

(2) “Alcohol” means any substance containing any form of alcohol including, but not limited to, ethanol, methanol, propanol, and isopropanol.

(3) “Alcohol concentration” means:

- (a) The number of grams of alcohol per 100 milliliters of blood;
- (b) The number of grams of alcohol per 210 liters of breath; or
- (c) The number of grams of alcohol per 67 milliliters of urine.

(4) “Authorized emergency vehicle” means a vehicle that is equipped with extraordinary audible and visual warning devices, that is authorized by s. 316.2397 to display red, red and white, or blue lights, and that is on call to respond to emergencies. The term includes, but is not limited to, ambulances, law enforcement vehicles, fire trucks, and other rescue vehicles. The term does not include wreckers, utility trucks, or other vehicles that are used only incidentally for emergency purposes.

(5) “Cancellation” means the act of declaring a driver license void and terminated.

(6) “Color photographic driver license” means a color photograph of a completed driver license form meeting the requirements prescribed in s. 322.14.

(7) “Commercial driver license” means a Class A, Class B, or Class C driver license issued in accordance with the requirements of this chapter.

(8) “Commercial motor vehicle” means any motor vehicle or motor vehicle combination used on the streets or highways, which:

- (a) Has a gross vehicle weight rating of 26,001 pounds or more;
- (b) Is designed to transport more than 15 persons, including the driver; or
- (c) Is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. part 172, subpart F.

A vehicle that occasionally transports personal property to and from a closed-course motorsport facility, as defined in s. 549.09(1)(a), is not a commercial motor vehicle if the use is not for profit and corporate sponsorship is not involved. As used in this subsection, the term “corporate sponsorship” means a payment, donation, gratuity, in-kind service, or other benefit provided to or derived by a person in relation to the underlying activity, other than the display of product or corporate names, logos, or other graphic information on the property being transported.

(9) “Controlled substance” means any substance classified as such under 21 U.S.C. s. 802(6), Schedules I-V of 21 C.F.R. part 1308, or chapter 893.

(10) “Convenience service” means any means whereby an individual conducts a transaction with the department other than in person.

(11)(a) “Conviction” means a conviction of an offense relating to the operation of motor vehicles on highways which is a violation of this chapter or any other such law of this state or any other state, including an admission or determination of a noncriminal traffic infraction pursuant to s. 318.14, or a judicial disposition of an offense committed under any federal law substantially conforming to the aforesaid state statutory provisions.

(b) Notwithstanding any other provisions of this chapter, the definition of “conviction” provided in 49 C.F.R. s. 383.5 applies to offenses committed in a commercial motor vehicle or by a person holding a commercial driver license.

(12) “Court” means any tribunal in this state or any other state, or any federal tribunal, which has jurisdiction over any civil, criminal, traffic, or administrative action.

(13) “Credential service provider” means an electronic credential provider competitively procured by the department to supply secure credential services based on open standards for identity management and verification to qualified entities.

(14)(13) “Declared weight” means the maximum loaded weight declared for purposes of registration, pursuant to chapter 320.

(15)(14) “Department” means the Department of Highway Safety and Motor Vehicles acting directly or through its duly authorized representatives.

(16) “Digital identity verifier” means a public or private entity that consumes the identity management services provided by the credential service provider.

(17)(15) “Disqualification” means a prohibition, other than an out-of-service order, that precludes a person from driving a commercial motor vehicle.

(18)(16) “Drive” means to operate or be in actual physical control of a motor vehicle in any place open to the general public for purposes of vehicular traffic.

(19)(47) “Driver license” means a certificate that, subject to all other requirements of law, authorizes an individual to drive a motor vehicle and denotes an operator’s license as defined in 49 U.S.C. s. 30301.

(20) “*Electronic*” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(21) “*Electronic credential*” means an electronic representation of a physical driver license or identification card which is viewable on an electronic credential system and capable of being verified and authenticated.

(22) “*Electronic credential holder*” means a person to whom an electronic credential has been issued.

(23) “*Electronic credential provider*” means a qualified entity contracted with the department to provide electronic credentials to electronic credential holders.

(24) “*Electronic credential system*” means a computer system used to display or transmit electronic credentials to a person or verification system and that may be accessed using an electronic device.

(25) “*Electronic device*” means a device or a portion of a device that is designed for and capable of communicating across a computer network with other computers or devices for the purpose of transmitting, receiving, or storing data, including, but not limited to, a cellular telephone, tablet, or other portable device designed for and capable of communicating with or across a computer network, and is used to render an electronic credential.

(26) “*Electronic ID*” means a technology solution by which a qualified entity authenticates the identity of an individual receiving goods or services.

(27)(48) “Endorsement” means a special authorization which permits a driver to drive certain types of vehicles or to transport certain types of property or a certain number of passengers.

(28)(49) “Farmer” means a person who grows agricultural products, including aquacultural, horticultural, and forestry products, and, except as provided herein, employees of such persons. The term does not include employees whose primary purpose of employment is the operation of motor vehicles.

(29)(20) “Farm tractor” means a motor vehicle that is:

(a) Operated principally on a farm, grove, or orchard in agricultural or horticultural pursuits and that is operated on the roads of this state only incidentally for transportation between the owner’s or operator’s headquarters and the farm, grove, or orchard or between one farm, grove, or orchard and another; or

(b) Designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(30)(21) “Felony” means any offense under state or federal law that is punishable by death or by a term of imprisonment exceeding 1 year.

(31)(22) “Foreign jurisdiction” means any jurisdiction other than a state of the United States.

(32)(23) “Gross vehicle weight rating” means the value specified by the manufacturer as the maximum loaded weight of a single, combination, or articulated vehicle.

(33)(24) “Hazardous materials” means any material that has been designated as hazardous under 49 U.S.C. s. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73.

(34)(25) “Medical examiner’s certificate” means a document substantially in accordance with the requirements of 49 C.F.R. s. 391.43.

(35)(26) “Motorcycle” means a motor vehicle powered by a motor with a displacement of more than 50 cubic centimeters, having a seat or saddle for the use of the rider, and designed to travel on not more than

three wheels in contact with the ground, but excluding a tractor, tri-vehicle, or moped.

(36)(27) “Motor vehicle” means any self-propelled vehicle, including a motor vehicle combination, not operated upon rails or guideway, excluding vehicles moved solely by human power, motorized wheelchairs, and motorized bicycles as defined in s. 316.003.

(37)(28) “Motor vehicle combination” means a motor vehicle operated in conjunction with one or more other vehicles.

(38)(29) “Narcotic drugs” means coca leaves, opium, isonipecaine, cannabis, and every substance neither chemically nor physically distinguishable from them, and any and all derivatives of same, and any other drug to which the narcotics laws of the United States apply, and includes all drugs and derivatives thereof known as barbiturates.

(39)(30) “Out-of-service order” means a prohibition issued by an authorized local, state, or Federal Government official which precludes a person from driving a commercial motor vehicle.

(40)(31) “Owner” means the person who holds the legal title to a vehicle. However, if a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to possession, such conditional vendee, lessee, or mortgagor is the owner for the purpose of this chapter.

(41)(32) “Passenger vehicle” means a motor vehicle designed to transport more than 15 persons, including the driver, or a school bus designed to transport more than 15 persons, including the driver.

(42)(33) “Permit” means a document authorizing the temporary operation of a motor vehicle within this state subject to conditions established in this chapter.

(43) “*Qualified entity*” means a public or private entity which enters into a contract with the department, meets usage criteria, agrees to terms and conditions, and is authorized by the department to use the credential service provider for authentication and identification verification services.

(44)(34) “Resident” means a person who has his or her principal place of domicile in this state for a period of more than 6 consecutive months, has registered to vote, has made a statement of domicile pursuant to s. 222.17, or has filed for homestead tax exemption on property in this state.

(45)(35) “Restriction” means a prohibition against operating certain types of motor vehicles or a requirement that a driver comply with certain conditions when driving a motor vehicle.

(46)(36) “Revocation” means the termination of a licensee’s privilege to drive.

(47)(37) “School bus” means a motor vehicle that is designed to transport more than 15 persons, including the driver, and that is used to transport students to and from a public or private school or in connection with school activities, but does not include a bus operated by a common carrier in the urban transportation of school children. The term “school” includes all preelementary, elementary, secondary, and post-secondary schools.

(48)(38) “State” means a state or possession of the United States, and, for the purposes of this chapter, includes the District of Columbia.

(49)(39) “Street or highway” means the entire width between the boundary lines of a way or place if any part of that way or place is open to public use for purposes of vehicular traffic.

(50)(40) “Suspension” means the temporary withdrawal of a licensee’s privilege to drive a motor vehicle.

(51)(41) “Tank vehicle” means a vehicle that is designed to transport any liquid or gaseous material within a tank either permanently or temporarily attached to the vehicle, if such tank has a designed capacity of 1,000 gallons or more.

(52)(42) “United States” means the 50 states and the District of Columbia.

(53)(43) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway or operated upon rails or guideway, except a bicycle, motorized wheelchair, or motorized bicycle.

(54)(44) “Identification card” means a personal identification card issued by the department which conforms to the definition in 18 U.S.C. s. 1028(d).

(55)(45) “Temporary driver license” or “temporary identification card” means a certificate issued by the department which, subject to all other requirements of law, authorizes an individual to drive a motor vehicle and denotes an operator’s license, as defined in 49 U.S.C. s. 30301, or a personal identification card issued by the department which conforms to the definition in 18 U.S.C. s. 1028(d) and denotes that the holder is permitted to stay for a short duration of time, as specified on the temporary identification card, and is not a permanent resident of the United States.

(56)(46) “Tri-vehicle” means an enclosed three-wheeled passenger vehicle that:

(a) Is designed to operate with three wheels in contact with the ground;

(b) Has a minimum unladen weight of 900 pounds;

(c) Has a single, completely enclosed, occupant compartment;

(d) Is produced in a minimum quantity of 300 in any calendar year;

(e) Is capable of a speed greater than 60 miles per hour on level ground; and

(f) Is equipped with:

1. Seats that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 207, “Seating systems” (49 C.F.R. s. 571.207);

2. A steering wheel used to maneuver the vehicle;

3. A propulsion unit located forward or aft of the enclosed occupant compartment;

4. A seat belt for each vehicle occupant certified to meet the requirements of Federal Motor Vehicle Safety Standard No. 209, “Seat belt assemblies” (49 C.F.R. s. 571.209);

5. A windshield and an appropriate windshield wiper and washer system that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 205, “Glazing Materials” (49 C.F.R. s. 571.205) and Federal Motor Vehicle Safety Standard No. 104, “Windshield Wiping and Washing Systems” (49 C.F.R. s. 571.104); and

6. A vehicle structure certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 216, “Rollover crush resistance” (49 C.F.R. s. 571.216).

Section 39. Section 322.032, Florida Statutes, is amended to read:

322.032 *Electronic credential* ~~Digital proof of driver license.~~—

(1)(a) The department shall ~~develop and implement~~ ~~begin to review and prepare for the development of a~~ secure and uniform protocols which comply with national standards ~~system~~ for issuing an optional electronic credential. The department shall procure the related technology solution from the credential service provider that uses a revenue sharing model through a competitive solicitation process pursuant to s. 287.057 ~~digital proof of driver license~~. The department may issue electronic credentials to persons who hold a Florida driver license or identification card.

(b) Qualified entities must have the technological capabilities necessary to integrate with the credential service provider. The department

shall maintain the protocols and national standards necessary for a digital verifier or an electronic credential provider to request authorized access to an application programming interface, or appropriate technological tool of at least the same capabilities, necessary for such qualified entity to consume an electronic ID. The department shall timely review requests for authorized access and approve all requests by digital verifiers that meet the department’s requirements.

(c) The electronic credential provider must have the necessary technological capabilities to execute the authentication of an electronic credential across all states, jurisdictions, federal and state agencies, and municipalities. The electronic credential and verification solution must provide the standardized system integration necessary:

1. For qualified entities to securely consume an electronic credential.

2. For the production of a fully compliant electronic credential by electronic credential providers.

3. To successfully ensure secure authentication and validation of data from disparate sources.

(d) The department shall competitively procure at least two but no more than five ~~contract with one or more~~ electronic credential providers ~~private entities~~ to develop and implement an initial phase to provide a secure electronic credential ~~a digital proof of driver license~~ system. The department shall enter into agreements with electronic credential providers that provide the permitted uses, terms and conditions, privacy policy, and uniform remittance terms relating to the consumption of an electronic credential. The department must competitively procure the credential service provider before the initial phase may begin. Upon completion of the initial phase, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the continued implementation and tools necessary to scale future phases.

(2)(a) The department shall provide electronic credential providers access to a standardized digital transaction process that provides the proceeds of a completed financial transaction to the department at the point of sale. The standardized digital transaction process must enable electronic credential providers to direct through their electronic commerce workflow to a standardized checkout process and enable documentation of the electronic credential providers participating in a transaction. Revenue generated from use of the electronic credential system shall be deposited into the Motor Vehicle License Clearing Trust Fund for distribution pursuant to a legislative appropriation and department agreements with electronic credential providers. Electronic credential revenue shall be shared between the state and electronic credential providers.

(b) The department may assess a competitive market rate fee structure for use of the credential service provider for any qualified entity to obtain an electronic ID. Revenue generated from use of the credential service provider by digital identity verifiers shall be shared between the state and the credential service provider. Revenues shall be deposited into the Motor Vehicle License Clearing Trust Fund for distribution pursuant to department agreements with digital identity verifiers. Fees may not be charged to any state court, state governmental entity, or law enforcement agency.

(3)(a)(2) The electronic credential ~~digital proof of driver license~~ developed by the department or by an electronic credential provider ~~an~~ entity contracted by the department must be in such a format as to allow law enforcement or an authorized consumer to verify the authenticity of the electronic credential and the identity of the credential holder and to validate the status of any driving privileges associated with the electronic credential ~~digital proof of driver license~~. The department shall adhere to protocols and national standards ~~may adopt~~ rules to ensure valid authentication of electronic credentials ~~digital driver licenses~~ by law enforcement.

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

(c) The person who presents the device to the officer assumes liability for any resulting damage to the device.



~~(4)(8)~~ A person may not be issued *an electronic credential a digital proof of driver license* until he or she has satisfied all of the requirements of this chapter for issuance of a physical driver license or *identification card* as provided in this chapter.

~~(5)(4)~~ A person who:

(a) Manufactures a false *electronic credential digital proof of driver license* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) Possesses a false *electronic credential digital proof of driver license* commits a misdemeanor of the second degree, punishable as provided in s. 775.082.

Section 40. Section 322.059, Florida Statutes, is amended to read:

322.059 Mandatory surrender of suspended driver license and registration.—A person whose driver license or registration has been suspended as provided in s. 322.058 must immediately return his or her driver license and registration to the Department of Highway Safety and Motor Vehicles. The department shall invalidate the *electronic credential digital proof of driver license* issued pursuant to s. 322.032 for such person. If such person fails to return his or her driver license or registration, a law enforcement agent may seize the license or registration while the driver license or registration is suspended.

Section 41. Subsection (4) of section 322.09, Florida Statutes, is amended to read:

322.09 Application of minors; responsibility for negligence or misconduct of minor.—

(4) Notwithstanding subsections (1) and (2), if a foster parent or caregiver of a minor who is under the age of 18 years and is in foster care as defined in s. 39.01, an authorized representative of a residential group home at which such a minor resides, the caseworker at the agency at which the state has placed the minor, or a guardian ad litem specifically authorized by the minor’s caregiver to sign for a learner’s driver license signs the minor’s application for a learner’s driver license, that foster parent, caregiver, group home representative, caseworker, or guardian ad litem does not assume any obligation or become liable for any damages caused by the negligence or willful misconduct of the minor by reason of having signed the application. Before signing the application, the caseworker shall notify the foster parent, caregiver, or other responsible party of his or her intent to sign and verify the application.

Section 42. Paragraph (c) of subsection (1) of section 322.143, Florida Statutes, is amended to read:

322.143 Use of a driver license or identification card.—

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

(c) “Swipe” means the act of passing a driver license or identification card through a device that is capable of deciphering, in an electronically readable format, the information electronically encoded in a magnetic strip or bar code on the driver license or identification card or *consuming an electronic credential*.

Section 43. Subsection (1) of section 322.15, Florida Statutes, is amended to read:

322.15 License to be carried and exhibited on demand; fingerprint to be imprinted upon a citation.—

(1) Every licensee shall have his or her driver license, which must be fully legible with no portion of such license faded, altered, mutilated, or defaced, in his or her immediate possession at all times when operating a motor vehicle and shall present or submit the same upon the demand of a law enforcement officer or an authorized representative of the department. A licensee may present or submit *an electronic credential a digital proof of driver license* as provided in s. 322.032 in lieu of a physical driver license.

Section 44. Section 322.38, Florida Statutes, is amended to read:

322.38 Renting motor vehicle to another.—

(1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any other person unless the ~~other latter~~ person is ~~then~~ duly licensed; or, if a nonresident, ~~he or she shall be~~ licensed under the laws of the state or country of his or her residence, except a nonresident whose home state or country does not require that an operator be licensed.

(2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to another until he or she has inspected the driver license of the person to whom the vehicle is to be rented, and ~~has compared and~~ verified that the *driver license is unexpired signature thereon with the signature of such person written in his or her presence*.

(3) Every person renting a motor vehicle to another shall keep a record of the registration number of the motor vehicle so rented, the name, ~~and~~ address, and *driver license number* of the person to whom the vehicle is rented, ~~the number of the license of said latter person,~~ and the ~~date and place when and~~ where the ~~said~~ license was issued. Such record shall be open to inspection by any police officer, or officer or employee of the department.

(4) *If a rental car company rents a motor vehicle to a person through digital, electronic, or other means that allows the renter to obtain possession of the motor vehicle without direct contact with an agent or employee of the rental car company, or if through use of such means the renter does not execute a rental contract at the time he or she takes possession of the vehicle, the rental car company is deemed to have met the requirements of subsections (1) and (2) when the rental car company requires the renter to verify that he or she is duly licensed and that the license is unexpired. Such verification may occur at the time the renter enrolls in a membership program, master agreement, or other means of establishing use of the rental car company’s services or at any time thereafter.*

Section 45. Subsection (4) of section 322.61, Florida Statutes, is amended to read:

322.61 Disqualification from operating a commercial motor vehicle.—

(4) Any person who is transporting hazardous materials as defined in s. 322.01(33) ~~s. 322.01(24)~~ shall, upon conviction of an offense specified in subsection (3), be disqualified from operating a commercial motor vehicle for a period of 3 years. The penalty provided in this subsection shall be in addition to any other applicable penalty.

Section 46. Subsection (1) of section 324.021, Florida Statutes, is amended to read:

324.021 Definitions; minimum insurance required.—The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(1) MOTOR VEHICLE.—Every self-propelled vehicle that is designed and required to be licensed for use upon a highway, including trailers and semitrailers designed for use with such vehicles, except traction engines, road rollers, farm tractors, power shovels, and well drillers, and every vehicle that is propelled by electric power obtained from overhead wires but not operated upon rails, but not including any personal delivery device or *mobile carrier* as defined in s. 316.003, bicycle, or moped. However, the term “motor vehicle” does not include a motor vehicle as defined in s. 627.732(3) when the owner of such vehicle has complied with the requirements of ss. 627.730-627.7405, inclusive, unless the provisions of s. 324.051 apply; and, in such case, the applicable proof of insurance provisions of s. 320.02 apply.

Section 47. Section 324.031, Florida Statutes, is amended to read:

324.031 Manner of proving financial responsibility.—The owner or operator of a taxicab, limousine, jitney, or any other for-hire passenger transportation vehicle may prove financial responsibility by providing satisfactory evidence of holding a motor vehicle liability policy as defined in s. 324.021(8) or s. 324.151, which policy is *provided by an insurer authorized to do business in this state issued by an insurance carrier* which is a member of the Florida Insurance Guaranty Association or *an eligible nonadmitted insurer that has a superior, excellent, exceptional, or equivalent financial strength rating by a rating agency*

acceptable to the Office of Insurance Regulation of the Financial Services Commission. The operator or owner of any other vehicle may prove his or her financial responsibility by:

- (1) Furnishing satisfactory evidence of holding a motor vehicle liability policy as defined in ss. 324.021(8) and 324.151;
- (2) Furnishing a certificate of self-insurance showing a deposit of cash in accordance with s. 324.161; or
- (3) Furnishing a certificate of self-insurance issued by the department in accordance with s. 324.171.

Any person, including any firm, partnership, association, corporation, or other person, other than a natural person, electing to use the method of proof specified in subsection (2) shall furnish a certificate of deposit equal to the number of vehicles owned times \$30,000, to a maximum of \$120,000; in addition, any such person, other than a natural person, shall maintain insurance providing coverage in excess of limits of \$10,000/20,000/10,000 or \$30,000 combined single limits, and such excess insurance shall provide minimum limits of \$125,000/250,000/50,000 or \$300,000 combined single limits. These increased limits shall not affect the requirements for proving financial responsibility under s. 324.032(1).

Section 48. Subsection (2) of section 324.032, Florida Statutes, is amended to read:

324.032 Manner of proving financial responsibility; for-hire passenger transportation vehicles.—Notwithstanding the provisions of s. 324.031:

(2) An owner or a lessee who is required to maintain insurance under s. 324.021(9)(b) and who operates at least 150 ~~300~~ taxicabs, limousines, jitneys, or any other for-hire passenger transportation vehicles may provide financial responsibility by complying with the provisions of s. 324.171, such compliance to be demonstrated by maintaining at its principal place of business an audited financial statement, prepared in accordance with generally accepted accounting principles, and providing to the department a certification issued by a certified public accountant that the applicant's net worth is at least equal to the requirements of s. 324.171 as determined by the Office of Insurance Regulation of the Financial Services Commission, including claims liabilities in an amount certified as adequate by a Fellow of the Casualty Actuarial Society.

Upon request by the department, the applicant must provide the department at the applicant's principal place of business in this state access to the applicant's underlying financial information and financial statements that provide the basis of the certified public accountant's certification. The applicant shall reimburse the requesting department for all reasonable costs incurred by it in reviewing the supporting information. The maximum amount of self-insurance permissible under this subsection is \$300,000 and must be stated on a per-occurrence basis, and the applicant shall maintain adequate excess insurance issued by an authorized or eligible insurer licensed or approved by the Office of Insurance Regulation. All risks self-insured shall remain with the owner or lessee providing it, and the risks are not transferable to any other person, unless a policy complying with subsection (1) is obtained.

Section 49. Subsection (3) and paragraph (b) of subsection (4) of section 339.175, Florida Statutes, are amended to read:

339.175 Metropolitan planning organization.—

(3) VOTING MEMBERSHIP.—

(a)1. Except as provided in subparagraph 2., the voting membership of an M.P.O. shall consist of at least 5 but not more than 25 apportioned members, with the exact number determined on an equitable geographic-population ratio basis, based on an agreement among the affected units of general-purpose local government and the Governor, as required by federal regulations. In accordance with 23 U.S.C. s. 134, the Governor may also allow M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area which do not have members on the M.P.O. With the exception of instances in which all of the county commissioners in a single-county M.P.O. are members of the M.P.O. governing board,

county commissioners shall compose at least one-third of the M.P.O. governing board membership. A multicounty M.P.O. may satisfy this requirement by any combination of county commissioners from each of the counties constituting the M.P.O. Voting members shall be elected officials of general-purpose local governments, one of whom may represent a group of general-purpose local governments through an entity created by an M.P.O. for that purpose. An M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. ~~As used in this section, the term "elected officials of a general purpose local government" excludes constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials.~~ County commissioners shall compose not less than 20 percent of the M.P.O. membership if an official of an agency that operates or administers a major mode of transportation has been appointed to an M.P.O.

2. For an M.P.O. designated on or after July 1, 2018, as a result of a combination or merger of more than one individual M.P.O., the voting membership shall consist of at least five members, with the exact number determined on an equitable geographic-population ratio basis, based on an agreement among the affected units of general-purpose local government and the Governor, as required by federal regulations. In accordance with 23 U.S.C. s. 134, the Governor may also allow M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area which do not have members on the M.P.O. Voting members shall be elected officials of general-purpose local governments, one of whom may represent a group of general-purpose local governments through an entity created by an M.P.O. for that purpose. An M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida.

For purposes of this section, the term "elected officials of a general-purpose local government" excludes constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials.

(b) In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are or will be performing transportation functions that are not under the jurisdiction of a general-purpose local government represented on the M.P.O., such authorities or other agencies may be provided voting membership on the M.P.O. In all other M.P.O.'s in which transportation authorities or agencies are to be represented by elected officials from general-purpose local governments, the M.P.O. shall establish a process by which the collective interests of such authorities or other agencies are expressed and conveyed.

(c) Any other provision of this section to the contrary notwithstanding, a ~~charter~~ ~~chartered~~ county with a population of over 1 million ~~population~~ may elect to reapportion the membership of an M.P.O. if the M.P.O. whose jurisdiction is wholly within the county. The charter county may exercise the provisions of this paragraph if:

1. The M.P.O. approves the reapportionment plan by a three-fourths vote of its membership;

2. The M.P.O. and the charter county determine that the reapportionment plan is needed to fulfill specific goals and policies applicable to that metropolitan planning area; and

3. The charter county determines the reapportionment plan otherwise complies with all federal requirements pertaining to M.P.O. membership.

A ~~any~~ charter county that elects to exercise the provisions of this paragraph shall notify the Governor in writing.

(d) Any other provision of this section to the contrary notwithstanding, ~~a any county as defined in s. 125.011(1) chartered under s. 6(c), Art. VIII of the State Constitution~~ may elect to have its county commission serve as the M.P.O., if the M.P.O. jurisdiction is wholly contained within the county. Any charter county that elects to exercise the provisions of this paragraph shall so notify the Governor in writing. Upon receipt of such notification, the Governor must designate the

county commission as the M.P.O. The Governor must appoint four additional voting members to the M.P.O., one of whom must be an elected official representing a municipality within the county, one of whom must be an expressway authority member, one of whom must be a person who does not hold elected public office and who resides in the unincorporated portion of the county, and one of whom must be a school board member.

(4) APPORTIONMENT.—

(b) Except for members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (3)(a), the members of an M.P.O. shall serve 4-year terms. Members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (3)(a) may serve terms of up to 4 years as further provided in the interlocal agreement described in paragraph (2)(b). The membership of a member who is a public official automatically terminates upon the member's leaving his or her elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the entity's governing board represented by the member. A vacancy shall be filled by the original appointing entity. A member may be reappointed for *no more than two* ~~one or more~~ additional 4-year terms.

Section 50. *Notwithstanding any other provision of law to the contrary, by July 1, 2019, each metropolitan planning organization shall update its membership, interlocal agreement, governing documents, and any other relevant information to comply with changes made by this act to s. 339.175, Florida Statutes.*

Section 51. Section 328.80, Florida Statutes, is amended to read:

328.80 Transactions by electronic or telephonic means.—

(1) ~~The Department of Highway Safety and Motor Vehicles may commission is authorized to~~ accept any application provided for under this chapter by electronic or telephonic means.

(2) *The Department of Highway Safety and Motor Vehicles may issue an electronic certificate of registration in addition to printing a paper registration.*

(3) *The Department of Highway Safety and Motor Vehicles may collect electronic mail addresses and use electronic mail in lieu of the United States Postal Service for the purpose of providing renewal notices.*

Section 52. Subsection (4) of section 328.48, Florida Statutes, is amended to read:

328.48 Vessel registration, application, certificate, number, decal, duplicate certificate.—

(4) Each certificate of registration issued shall state among other items the numbers awarded to the vessel, the hull identification number, the name and address of the owner, and a description of the vessel, except that certificates of registration for vessels constructed or assembled by the owner registered for the first time shall state all the foregoing information except the hull identification number. The numbers shall be placed on each side of the forward half of the vessel in such position as to provide clear legibility for identification, except, if the vessel is an airboat, the numbers may be placed on each side of the rudder. The numbers awarded to the vessel shall read from left to right and shall be in block characters of good proportion not less than 3 inches in height. The numbers shall be of a solid color which will contrast with the color of the background and shall be so maintained as to be clearly visible and legible; i.e., dark numbers on a light background or light numbers on a dark background. The certificate of registration shall be pocket-sized and shall be available for inspection on the vessel for which issued whenever such vessel is in operation. *If the certificate of registration is not available for inspection on the vessel or is damaged or otherwise illegible, the operator may present for inspection an electronic device displaying an electronic certificate issued pursuant to s. 328.80. Such presentation does not constitute consent for inspection of any information on the device other than the displayed certificate. The person*

*who presents the device for inspection assumes the liability for any resulting damage to the device.*

Section 53. Subsection (5) of section 338.166, Florida Statutes, is amended to read:

338.166 High-occupancy toll lanes or express lanes.—

(5) ~~Effective July 1, 2018, If the a customer's average travel speed for a segment of trip in an express lane falls below 40 miles per hour, the toll customer must be charged shall be the segment's the minimum express lane toll. An express lane segment is the distance between the customer's point of entry to the first available exit. Additional segments are defined by the distance between subsequent exits. A customer's express lane average travel speed is his or her average travel speed from the customer's entry point to the customer's exit point.~~

Section 54. Paragraphs (d) and (e) of subsection (1) of section 338.2216, Florida Statutes, are amended to read:

338.2216 Florida Turnpike Enterprise; powers and authority.—

(1)

(d) The Florida Turnpike Enterprise shall pursue and implement new technologies and processes in its operations and collection of tolls and the collection of other amounts associated with road and infrastructure usage. Such technologies and processes must include, without limitation, video billing and variable pricing. The Florida Turnpike Enterprise may require the use of an electronic transponder interoperable with the department's electronic toll collection system for the use of express lanes on the turnpike system. Variable pricing may not be implemented in express lanes when the level of service in the express lane, determined in accordance with the criteria established by the Transportation Research Board Highway Capacity Manual (5th Edition, HCM 2010), as amended from time to time, is equal to level of service A. Variable pricing in express lanes when the level of service in the express lane is level of service B may only be implemented by charging the *segment's general toll lane toll amount plus the segment's minimum toll amount* ~~an amount set by department rule. An express lane segment is the distance between the customer's point of entry to the first available exit. Additional segments are defined by the distance between subsequent exits.~~ Except as otherwise provided in this subsection, pricing in express lanes when the level of service is other than level of service A or level of service B may vary in the manner established by the Florida Turnpike Enterprise to manage congestion in the express lanes.

(e) ~~Effective July 1, 2018, if a customer's average travel speed for a trip in an express lane falls below 40 miles per hour, the customer must be charged the general toll lane toll amount plus an amount set by department rule. A customer's express lane average travel speed is his or her average travel speed from the customer's entry point to the customer's exit point.~~

Section 55. Section 334.352, Florida Statutes, is created to read:

334.352 *State university ingress and egress.—A local governmental entity may not prevent public motor vehicle use on or access to an existing transportation facility or transportation corridor as defined in s. 334.03 if that transportation facility or transportation corridor is the only point, or one of only two points, of ingress to and egress from a state university as defined in s. 1000.21. This section does not apply when a law enforcement agency prevents use or access to a facility or corridor in an emergency situation or to a temporary closure of a facility or corridor, if necessary, for road maintenance or repair.*

Section 56. Subsection (2) of section 338.222, Florida Statutes, is amended to read:

338.222 Department of Transportation sole governmental entity to acquire, construct, or operate turnpike projects; exception.—

(2) The department may, *but is not required to*, contract with any local governmental entity as defined in s. 334.03(13) for the design, right-of-way acquisition, transfer, purchase, sale, acquisition, or other conveyance of the ownership, operation, maintenance, or construction of any turnpike project which the Legislature has approved. Local governmental entities may negotiate *and contract* with the department for the design, right-of-way acquisition, transfer, purchase, sale, acqui-

tion, or other conveyance of the ownership, operation, maintenance, or ~~and~~ construction of any section of the turnpike project within areas of their respective jurisdictions or within counties with which they have interlocal agreements. Any contract for the transfer, purchase, sale, acquisition, or other conveyance of the ownership, operation, or maintenance of a turnpike project or any part of the turnpike system to a local governmental entity must be specifically approved by the Legislature.

Section 57. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

655.960 Definitions; ss. 655.960-655.965.—As used in this section and ss. 655.961-655.965, unless the context otherwise requires:

(1) “Access area” means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(81)(a) ~~s. 316.003(79)(a)~~ or (b), including any adjacent sidewalk, as defined in s. 316.003.

Section 58. Paragraph (a) of subsection (2) of section 812.014, Florida Statutes, is amended to read:

812.014 Theft.—

(2)(a)1. If the property stolen is valued at \$100,000 or more or is a semitrailer that was deployed by a law enforcement officer; or

2. If the property stolen is cargo valued at \$50,000 or more that has entered the stream of interstate or intrastate commerce from the shipper’s loading platform to the consignee’s receiving dock; or

3. If the offender commits any grand theft and:

a. In the course of committing the offense the offender uses a motor vehicle as an instrumentality, other than merely as a getaway vehicle, to assist in committing the offense and thereby damages the real property of another; ~~or~~

b. In the course of committing the offense the offender causes damage to the real or personal property of another in excess of \$1,000; or

4. If the property stolen is cargo and in the course of committing the offense the offender uses any type of device to defeat, block, disable, jam, or interfere with a global positioning system or similar system designed to identify the location of the cargo or the vehicle or trailer carrying the cargo,

the offender commits grand theft in the first degree, punishable as a felony of the first degree, as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 59. *The Department of Highway Safety and Motor Vehicles, in cooperation with the Florida Tax Collectors Association, shall undertake a review of the registration renewal period for heavy trucks weighing more than 5,000 pounds and less than 8,000 pounds. The department shall submit a report documenting the findings and recommendations of the review to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2018. As part of the review, the department shall include:*

(1) *Options to allow owners of applicable heavy trucks to renew their registrations on their birth dates instead of December 31 of each year.*

(2) *A plan for implementation of the revised renewal period, including the proration of registration renewal fees.*

(3) *The estimated fiscal impact to state and local government associated with changes in the renewal period for applicable heavy trucks.*

(4) *A plan to educate the motoring public about changes in the renewal period for applicable heavy trucks.*

Section 60. *Florida Transportation Commission review; electric and hybrid vehicles report.—*

(1)(a) *The Florida Transportation Commission shall review all sources of revenue for transportation infrastructure and maintenance projects and prepare a report to the Governor and the Legislature when the*

*commission determines that electric vehicles, as defined in s. 320.01(36), Florida Statutes, and hybrid vehicles, as defined in s. 316.0741, Florida Statutes, make up 2 percent or more of the total number of vehicles registered in this state.*

(b) *The commission, in consultation with the Department of Highway Safety and Motor Vehicles, may use commercially available data that the commission deems reliable to support its determination and report. The report must, at a minimum, assess the effect of projected electric and hybrid vehicle use in this state on future revenue from existing taxes, fees, and surcharges related to nonelectric, private-use motorcycles, mopeds, automobiles, tri-vehicles, and trucks.*

(c) *The commission, in consultation with the Division of Emergency Management, shall also make an assessment of transportation infrastructure with respect to emergency evacuations and electric vehicles, including, but not limited to, the availability of electric vehicle charging stations in this state.*

(2) *The report must include recommendations to the Legislature:*

(a) *To ensure continued funding for necessary maintenance that provides for adequate levels of service on existing transportation infrastructure;*

(b) *To accomplish improvements and capacity projects on transportation infrastructure which meet the demand from projected population and economic growth; and*

(c) *To accomplish necessary improvements to transportation infrastructure that would support emergency evacuations by users of electric vehicles.*

(3) *The report shall be submitted to the Governor and the Legislature no later than September 1 of the year immediately after the year in which the commission determines that electric vehicles, as defined in s. 320.01(36), Florida Statutes, and hybrid vehicles, as defined in s. 316.0741, Florida Statutes, make up 2 percent or more of the total number of vehicles registered in this state.*

(4) *Notwithstanding any other provisions of this section, the commission may undertake and complete the review and report before the 2-percent threshold is reached if the commission finds that earlier completion is appropriate to maintain a financially stable, long-term transportation work program.*

Section 61. Except as otherwise expressly provided in this act, this act shall take effect October 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; requiring the Department of Transportation to consist of a central office that establishes policies and procedures and districts that carry out projects as authorized or required under the policies and procedures of the central office; requiring the secretary to be a registered professional engineer, hold an advanced degree in an appropriate related discipline, or have a specified number of years of relevant experience; amending s. 316.003, F.S.; revising and providing definitions; amending s. 316.008, F.S.; authorizing a mobile carrier to be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law; providing construction; amending s. 316.0895, F.S.; prohibiting the driver of a vehicle from following another vehicle more closely than is reasonable and prudent; providing construction; deleting a provision relating to prohibitions on certain vehicles following other vehicles within a specified distance; amending s. 316.0896, F.S.; authorizing the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, to conduct an ongoing pilot project to test the use and safe operation of vehicles equipped with driver-assistive truck platooning technology upon the conclusion of a certain study; authorizing the Department of Transportation to conduct the pilot project in such a manner and at such locations as determined by the department based on any initial findings and recommendations resulting from the pilot program; requiring, before the start of the pilot project, manufacturers of driver-assistive truck platooning technology being commercially operated in the pilot project to submit to the Department of Highway Safety and Motor Vehicles an instrument of insurance, a surety bond, or proof of self-insurance acceptable to the department in a specified amount; requiring, after the

initial phase of the pilot project, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, to submit a preliminary report by a specified date to the Governor and Legislature; requiring the Department of Transportation to continue the pilot program for a specified period, subject to certain requirements; requiring the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, to submit a final report by a specified date, which describes the results of the study and any final findings or recommendations, to the Governor and Legislature; amending s. 316.2071, F.S.; authorizing a mobile carrier to operate on sidewalks and crosswalks; providing rights, duties, and requirements; amending s. 316.235, F.S.; authorizing a motor vehicle to be equipped with certain lamps or devices under certain circumstances; amending ss. 316.224 and 316.2397, F.S.; conforming cross-references; amending s. 316.2397, F.S.; authorizing certain vehicles to display red and white lights; amending s. 316.2398, F.S.; authorizing certain vehicles to display red and white warning signals under certain circumstances; providing requirements and penalties; amending s. 316.302, F.S.; revising regulations to which owners and drivers of commercial motor vehicles are subject; delaying the requirement for electronic logging devices and support documents for certain intrastate motor carriers; deleting a limitation on a civil penalty for falsification of certain time records; deleting a requirement that a motor carrier maintain certain documentation of driving times; providing an exemption from specified provisions for a person who operates a commercial motor vehicle with a certain gross vehicle weight, gross vehicle weight rating, and gross combined weight rating; deleting the exemption from such provisions for a person transporting petroleum products; amending s. 316.303, F.S.; exempting an operator in a platoon from the prohibition against active display of television or video; amending s. 316.515, F.S.; revising length and load extension limitations for stinger-steered automobile transporters; authorizing automobile transporters to backhaul certain cargo or freight under certain circumstances; authorizing an unladen power unit to tow a certain combination of trailers or semitrailers under certain circumstances; amending s. 316.85, F.S.; authorizing the Florida Turnpike Enterprise and certain authorities to fund, construct, and operate facilities for the advancement of autonomous and connected innovative transportation technology solutions for certain purposes; amending s. 316.87, F.S.; authorizing Medicaid nonemergency transportation services to be provided to a Medicaid beneficiary by certain transportation network companies or transportation brokers; requiring the Agency for Health Care Administration to update the Non-Emergency Transportation Services Coverage Policy by a specified date; providing that the requirements for transportation network companies and transportation network company drivers may not exceed specified requirements, except as necessary to conform to federal Medicaid transportation requirements administered by the agency; providing construction; amending s. 318.14, F.S.; revising the number of times certain persons may elect to attend a basic driver improvement course; amending s. 319.141, F.S.; revising the definition of the term "rebuilt inspection services"; deleting obsolete language; requiring the Department of Highway Safety and Motor Vehicles to ensure that an applicant of the pilot rebuilt motor vehicle inspection program meets certain criteria before the applicant is approved or renewed; requiring the operator of a facility to annually make certain attestations; prohibiting a program participant from conducting an inspection of a vehicle rebuilt before its purchase by the current applicant; requiring that such vehicles be inspected by the department; requiring any applicant that fails an initial rebuilt inspection to have that vehicle reinspected only by the department or the facility that conducted the original inspection; prohibiting any person or business authorized by the department to train, certify, or recertify operators and inspectors of private rebuilt motor vehicle inspection facilities from certifying or recertifying itself or any of its employees; requiring the department to conduct an onsite facility inspection at least twice a year; requiring a current operator to give the department certain notice of a transfer before any transfer of a rebuilt inspection facility; requiring a transferee to meet certain eligibility requirements and execute a new memorandum of understanding with the department before operating the facility; revising the date of repeal; requiring the department to submit a written report to the Governor and Legislature; amending s. 320.01, F.S.; revising definitions; amending s. 320.02, F.S.; requiring the application form for motor vehicle registration and renewal of registration to include an option to make a voluntary contribution to the Alzheimer's Association, Inc.; exempting a mobile carrier from certain registration and insurance requirements; amending s. 320.06, F.S.; providing for future repeal of issuance of a certain annual license plate and cab card to a vehicle that has an apportioned registration; revising information required to appear on the cab card; providing requirements for license plates, cab cards, and validation stickers for vehicles registered in accordance with the International Registration Plan; authorizing a damaged or worn license plate to be replaced at no charge under certain

circumstances; providing an exception to the design of dealer license plates; amending s. 320.0605, F.S.; requiring that a certain electronic copy of a registration certificate and an electronic copy of rental or lease documentation issued for a motor vehicle or issued for a replacement vehicle in the same registration period be in the possession of the operator or be carried in the vehicle for which it is issued and be exhibited upon demand of any authorized law enforcement officer or any agent of the department; specifying that the act of presenting to a law enforcement officer or agent of the department an electronic device displaying an electronic copy of a registration certificate or rental or lease documentation does not constitute consent for the officer or agent to access any information on the device other than the displayed certificate or documentation; requiring the person who presents the device to the officer or agent to assume the liability for any resulting damage to the device; providing that rental or lease documentation that includes the date and time of rental is sufficient to satisfy a specified requirement; amending s. 320.0607, F.S.; providing an exemption from a certain fee for vehicles registered under the International Registration Plan; amending s. 320.0657, F.S.; providing an exception to the design of fleet license plates; authorizing fleet companies to purchase specialty license plates in lieu of standard fleet license plates; requiring fleet companies to be responsible for certain costs; amending s. 320.08, F.S.; authorizing dealers to purchase specialty license plates in lieu of standard graphic dealer license plates; requiring dealers to be responsible for certain costs; amending s. 320.08053, F.S.; revising presale requirements for issuance of a specialty license plate; amending s. 320.08056, F.S.; allowing the department to authorize dealer and fleet specialty license plates; providing requirements for such plates; deleting certain specialty license plates; establishing an annual use fee for certain specialty license plates; revising provisions for discontinuing issuance of a specialty license plate; revising applicability; prohibiting use fees received by any entity from being used for certain purposes; requiring certain organizations to establish endowments based in this state for providing scholarships to Florida residents and to provide documentation of consent to use certain images; amending s. 320.08058, F.S.; authorizing the department to consult with the University of Central Florida for certain purposes; revising the design of certain specialty license plates; deleting certain specialty license plates; revising the distribution of annual use fees for certain specialty license plates; directing the department to develop certain specialty license plates; providing for distribution and use of fees collected from the sale of the plates; amending s. 320.08062, F.S.; directing the department to audit certain organizations that receive funds from the sale of specialty license plates; amending s. 320.08068, F.S.; requiring distribution of a specified percentage of motorcycle specialty license plate annual use fees to Preserve Vision Florida; amending s. 320.0807, F.S.; repealing provisions relating to special license plates for certain federal and state legislators; creating s. 320.0875, F.S.; providing for a special motorcycle license plate to be issued to a recipient of the Purple Heart; providing requirements for the plate; amending s. 320.089, F.S.; providing for a special license plate to be issued to a recipient of the Bronze Star; amending s. 320.131, F.S.; authorizing, beginning on a specified date, the department to partner with a county tax collector to conduct a Fleet Vehicle Temporary Tag pilot program, subject to certain requirements; providing for future repeal; amending s. 320.95, F.S.; allowing the department to authorize issuance of an electronic certificate of registration; authorizing such certificate to be presented for inspection; providing construction; providing for liability for any damage to the device that displays the certificate; providing for distribution of certain annual use fees withheld by the department; amending s. 322.01, F.S.; revising and providing definitions; amending s. 322.032, F.S.; directing the department to implement protocols for issuing an optional electronic credential and procure a related technology solution; providing requirements for qualified entities; requiring the department to maintain certain protocols and national standards; requiring the department to timely review and approve all electronic credential provider requests for authorized access to certain interfaces that meet the department's requirements; providing requirements for an electronic credential provider and the electronic credential and verification solution; requiring the department to procure electronic credential providers and a credential service provider; requiring the department to enter into specified agreements with electronic credential providers; requiring a report to the Legislature and the Governor; requiring that the department provide electronic credential providers access to a standardized digital transaction process that has specified capabilities; requiring that certain revenue be deposited into the Motor Vehicle License Clearing Trust Fund for distribution; authorizing the department to assess a competitive market rate fee structure; prohibiting certain fees; requiring that an electronic credential be in a format that allows certain entities to verify the authenticity of such electronic credential and to validate certain privileges; providing that presenting an electronic device displaying an electronic credential does not constitute consent for a law enforcement

officer to access any other information on such device; providing for the assumption of liability; amending s. 322.059, F.S.; conforming a provision to changes made by the act; amending s. 322.09, F.S.; providing that a caregiver who signs a learner's driver license of a minor in foster care does not assume any obligation or liability for damages under certain circumstances; requiring a caseworker to notify the caregiver of his or her intent to sign and verify such application before signing the application; amending s. 322.143, F.S.; revising the definition of the term "swipe"; amending s. 322.15, F.S.; conforming a provision to changes made by the act; amending s. 322.38, F.S.; revising requirements for renting a motor vehicle to another person; amending s. 322.61, F.S.; conforming a cross-reference; amending s. 324.021, F.S.; conforming provisions to changes made by the act; amending s. 324.031, F.S.; authorizing the owner or operator of a taxicab, limousine, jitney, or any other for-hire passenger transportation vehicle to prove financial responsibility by providing satisfactory evidence of holding a motor vehicle liability policy that is provided by an insurer that is authorized to do business in this state and is a member of the Florida Insurance Guaranty Association or an eligible nonadmitted insurer that has a certain financial strength rating by a rating agency acceptable to the Office of Insurance Regulation of the Financial Services Commission; amending s. 324.032, F.S.; decreasing the minimum amount of taxicabs, limousines, jitneys, or any other for-hire passenger transportation vehicles that an owner or a lessee operates in order to be able to provide financial responsibility by complying with specified provisions, subject to certain requirements; amending s. 339.175, F.S.; providing voting membership requirements for certain metropolitan planning organizations designated on or after a specified date; revising provisions relating to the reapportionment of members; requiring metropolitan planning organizations to comply with certain provisions by a specified date; amending s. 328.80, F.S.; authorizing the department to issue an electronic certificate of registration for a vessel, to collect electronic mail addresses, and to use electronic mail for certain purposes; amending s. 328.48, F.S.; authorizing a vessel operator to present such electronic certificate for inspection under certain circumstances; providing construction; providing that the person presenting the device assumes the liability for any resulting damage to the device; amending s. 338.166, F.S.; establishing toll amounts charged on segments of an express lane when the average travel speed falls below a certain speed; defining the term "segment"; amending s. 338.2216, F.S.; revising requirements for variable pricing in certain express lanes; defining the term "segment"; deleting provisions relating to toll amounts to be charged after a certain date; creating s. 334.352, F.S.; prohibiting a local governmental entity from preventing motor vehicle access to a transportation facility or transportation corridor under certain circumstances; providing applicability; amending s. 338.222, F.S.; revising provisions relating to contracting and negotiation between the Department of Transportation and local governmental entities for acquisition, construction, or operation of turnpike projects; requiring any contract for the transfer, purchase, sale, acquisition, or other conveyance of the ownership, operation, or maintenance of a turnpike project to a local governmental entity to be specifically approved by the Legislature; amending s. 655.960, F.S.; conforming a cross-reference; amending s. 812.014, F.S.; providing a criminal penalty for an offender committing grand theft who uses a device to interfere with a global positioning or similar system; requiring the Department of Highway Safety and Motor Vehicles to review the registration period of certain heavy trucks; requiring a report to the Governor and Legislature; providing review requirements; requiring the Florida Transportation Commission to review all sources of revenue for transportation infrastructure and maintenance projects and prepare a report to the Governor and the Legislature when the commission determines that electric and hybrid vehicles make up a certain percentage or more of the total number of vehicles registered in this state; authorizing the commission, in consultation with the Department of Highway Safety and Motor Vehicles, to use certain commercially available data; providing minimum reporting requirements; requiring the commission, in consultation with the Division of Emergency Management, to make an assessment of transportation infrastructure with respect to emergency evacuations and electric vehicles; specifying requirements for the report; requiring the report to be submitted to the Governor and the Legislature no later than a certain date; authorizing the commission to undertake and complete the review before the specified percentage threshold is reached, under certain circumstances; providing effective dates.

**POINT OF ORDER**

Senator Rader raised a point of order that **Senate Amendment 1 (644860)** by Senator Brandes was not germane to **SB 100**.

The President referred the point of order and the amendment to Senator Benacquisto, Chair of the Committee on Rules, and ordered further consideration of **SB 100** with pending **Senate Amendment 1 (644860)** and pending point of order deferred.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES, continued**

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 566, with amendment(s), and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

**CS for SB 566**—A bill to be entitled An act relating to unlawful detention by a transient occupant; amending s. 82.045, F.S.; revising factors that establish a person as a transient occupant of residential property; specifying circumstances when a transient occupancy terminates; providing that a transient occupancy is not extended by the presence of personal belongings of a former transient occupant; requiring the party entitled to possession of a dwelling to allow a former transient occupant to recover personal belongings at reasonable times and under reasonable conditions; specifying a reasonable time to recover personal belongings; authorizing a party entitled to possession of the dwelling, under certain circumstances, to impose additional conditions on access to the dwelling or personal belongings; providing a presumption of when a former transient occupant has abandoned his or her personal belongings; providing circumstances in which the period for recovering personal belongings may be extended or shortened; authorizing a former transient occupant, under certain circumstances, to bring a civil action for damages or recovery of personal belongings; requiring a court to award the prevailing party reasonable attorney fees and costs; providing construction; providing an effective date.

**House Amendment 1 (233661)**—Remove line 75 and insert: *leaves the dwelling when directed by a law enforcement*

On motion by Senator Young, the Senate concurred in **House Amendment 1 (233661)**.

**CS for SB 566** passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Bean, Campbell, Gainer, Grimsley

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 872, with amendment(s), and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

**CS for SB 872**—A bill to be entitled An act relating to young farmers and ranchers; creating s. 570.842, F.S.; creating the Florida Young Farmer and Rancher Matching Grant Program within the Department of Agriculture and Consumer Services; specifying the purpose of the grants; requiring the department to select grant recipients based on certain criteria; requiring the department to adopt rules; specifying minimum grant selection criteria; specifying a grant award minimum and maximum; requiring that no more than one award per year may go to an individual recipient; specifying that grant funding is contingent upon specific appropriation from the Legislature; creating s. 570.843, F.S.; creating the Florida Young Farmer and Rancher Advisory Council within the department; specifying membership of the council; providing for staggered terms; specifying the meetings, powers, duties, procedures, and recordkeeping of the council; specifying that the council may submit findings and recommendations to the Commissioner of Agriculture; specifying the issues the council may examine; creating s. 570.844, F.S.; requiring the department to establish a clearinghouse on its website for resources to assist young and beginning farmers and ranchers; providing an effective date.

**House Amendment 1 (846075) (with title amendment)**—Remove lines 30-63

And the title is amended as follows:

Remove lines 3-14 and insert: creating s. 570.843, F.S.; creating

On motion by Senator Grimsley, the Senate concurred in **House Amendment 1 (846075)**.

**CS for SB 872** passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 88, with amendment(s), and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

**CS for SB 88**—A bill to be entitled An act relating to high school graduation requirements; amending s. 1003.41, F.S.; revising the requirements for the Next Generation Sunshine State Standards to include financial literacy; amending s. 1003.4282, F.S.; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives; providing an effective date.

**House Amendment 1 (872419) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (d) and (g) of subsection (3) of section 1003.4282, Florida Statutes, are amended to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(d) Three credits in social studies.—A student must earn one credit in United States History,; one credit in World History,; one-half credit in economics, ~~which must include financial literacy,~~ and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade.

(g) Eight credits in electives.—

1. School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit.

2. Students must be provided the opportunity to learn personal financial literacy through a one-half credit financial literacy course. Instruction for personal financial literacy must include the following:

- a. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.
- b. Balancing a checkbook.
- c. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.
- d. Completing a loan application.
- e. Receiving an inheritance and related implications.
- f. Basic principles of personal insurance policies.
- g. Computing federal income taxes.
- h. Local tax assessments.
- i. Computing interest rates by various mechanisms.
- j. Simple contracts.
- k. Contesting an incorrect billing statement.
- l. Types of savings and investments.
- m. State and federal laws concerning finance.

The department shall identify freely available assessments or certificates that enable students to demonstrate proficiency in personal financial literacy without taking the course.

Section 2. Paragraph (a) of subsection (1) of section 1003.436, Florida Statutes, is amended to read:

1003.436 Definition of "credit."—

(1)(a) For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3). One full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board. *In lieu of the 135- and 120-hour instruction requirements, district school boards participating in the Mastery-Based Education Pilot Program under s. 1003.4996, may determine and award credit based on a student's mastery of the core content and skills, consistent with s. 1003.41, as approved by the district school board.* The State Board of Education shall determine the number of postsecondary credit hours earned through dual enrollment pursuant to s. 1007.271 that satisfy the requirements of a dual enrollment articulation agreement

according to s. 1007.271(21) and that equal one full credit of the equivalent high school course identified pursuant to s. 1007.271(9).

Section 3. Section 1003.437, Florida Statutes, is amended to read:

1003.437 Middle and high school grading system.—

(1) The grading system and interpretation of letter grades used to measure student success in grade 6 through grade 12 courses for students in public schools shall be as follows:

(a)(1) Grade “A” equals 90 percent through 100 percent, has a grade point average value of 4, and is defined as “outstanding progress.”

(b)(2) Grade “B” equals 80 percent through 89 percent, has a grade point average value of 3, and is defined as “above average progress.”

(c)(3) Grade “C” equals 70 percent through 79 percent, has a grade point average value of 2, and is defined as “average progress.”

(d)(4) Grade “D” equals 60 percent through 69 percent, has a grade point average value of 1, and is defined as “lowest acceptable progress.”

(e)(5) Grade “F” equals zero percent through 59 percent, has a grade point average value of zero, and is defined as “failure.”

(f)(6) Grade “I” equals zero percent, has a grade point average value of zero, and is defined as “incomplete.”

(2) District school boards participating in the *Mastery-Based Education Pilot Program* under s. 1003.4996 may use an alternative interpretation of letter grades to measure student success in grades 6 through 12.

For the purposes of class ranking, district school boards may exercise a weighted grading system pursuant to s. 1007.271.

Section 4. Section 1003.4996, Florida Statutes, is amended to read:

1003.4996 ~~Mastery-Based Competency-Based Education Pilot Program.~~—~~Beginning with the 2016-2017 school year, The Mastery-Based Competency-Based Education Pilot Program~~ is created within the Department of Education to be administered for a period of 5 years. The purpose of the pilot program is to provide an educational environment that allows students to advance to higher levels of learning upon the mastery of concepts and skills through statutory exemptions relating to student progression and the awarding of credits.

(1) PARTICIPATION.—The P.K. Yonge Developmental Research School and *public school districts, including, but not limited to*, the Lake, Palm Beach, Pinellas, and Seminole County School Districts, may submit an application in a format prescribed by the department to participate in the pilot program.

(2) APPLICATION.—The application to participate in the pilot program must, at a minimum, include:

(a) The vision and timelines for the implementation of *mastery-based competency-based* education within the school district, including a list of the schools that will participate in the pilot program during the first school year and the list of schools that will be integrated into the program in subsequent school years.

(b) The annual goals and performance outcomes for participating schools, including, but not limited to:

1. Student performance as defined in s. 1008.34.
2. Promotion and retention rates.
3. Graduation rates.
4. Indicators of college and career readiness.

(c) A communication plan for parents and other stakeholders, including local businesses and community members.

(d) The scope of and timelines for professional development for school instructional and administrative personnel.

(e) A plan for student progression based on the mastery of content, including mechanisms that determine and ensure that a student has satisfied the requirements for grade-level promotion and content mastery.

(f) A plan for using technology and digital and blended learning to enhance student achievement and facilitate the *mastery-based competency-based* education system.

(g) The proposed allocation of resources for the pilot program at the school and district levels.

(h) The recruitment and selection of participating schools.

(i) The rules to be waived for participating schools pursuant to subsection (3) to implement the pilot program.

(3) EXEMPTION FROM RULES.—In addition to the waivers authorized in s. 1001.10(3), the State Board of Education may authorize the commissioner to grant an additional waiver of rules relating to student progression and the awarding of credits.

(4) ALTERNATE CREDIT AND LETTER GRADE SYSTEMS.—

(a) *Beginning with the 2018-2019 school year, participating school districts may amend their applications to include alternatives for awarding credit, as authorized under s. 1003.436, and for the interpretation of middle and high school letter grades, as authorized under s. 1003.437.*

1. *Alternatives to awarding credit must include a verification of the student’s mastery of the applicable course content using rigorous scoring rubrics to evaluate the student’s work.*

2. *Alternatives to the interpretation of middle and high school letter grades may substitute the applicable language from the school district’s rigorous scoring rubric.*

(b) *An application that is amended pursuant to this subsection must be approved by the district school board.*

(5)(4) STUDENT FUNDING.—Students enrolled in a participating school shall be reported for and generate funding pursuant to s. 1011.62.

(6)(5) DEPARTMENT DUTIES.—The department shall:

(a) Compile the student and staff schedules of participating schools before and after implementation of the pilot program.

(b) Provide participating schools with access to statewide, standardized assessments required under s. 1008.22.

(c) Annually, by June 1, provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing the activities and accomplishments of the pilot program and any recommendations for statutory revisions.

~~(6) RULES.—The State Board of Education shall adopt rules to administer this section.~~

Section 5. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

(7) *The articulation agreement must ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts.*

Section 6. Effective upon this act becoming a law, section 1007.2616, Florida Statutes, is amended to read:

1007.2616 Computer science and technology instruction.—

(1) *For the purposes of this section, the term “computer science” means the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and their impact on society, and includes computer coding and computer programming.*



(2)(a)(4) Public schools shall provide students in grades K-12 opportunities for learning computer science, including, but not limited to, computer coding and computer programming. Such opportunities may include coding instruction in elementary school and middle school and instruction to develop students' computer usage and digital literacy skills in middle school, and *must include* courses in computer science, ~~computer coding, and computer programming in middle school and high school, including earning-related industry certifications. Such courses must be integrated into each school district's middle and high schools, including combination schools in which any of grades 6 through 12 are taught.~~

(b) Computer science courses must be identified in the Course Code Directory and published on the Department of Education's website no later than July 1, 2018. Additional computer science courses may be subsequently identified and posted on the department's website.

(3) The Florida Virtual School shall offer computer science courses identified in the Course Code Directory pursuant to paragraph (2)(b). If a school district does not offer an identified course, the district must provide students access to the course through the Florida Virtual School or through other means.

(4)(a) Subject to legislative appropriation, a school district or a consortium of school districts may apply to the department, in a format prescribed by the department, for funding to deliver or facilitate training for classroom teachers to earn an educator certificate in computer science pursuant to s. 1012.56 or an industry certification associated with a course identified in the Course Code Directory pursuant to paragraph (2)(b). Such funding shall only be used to provide training for classroom teachers and to pay fees for examinations that lead to a credential pursuant to this paragraph.

(b) Once the department has identified courses in the Course Code Directory pursuant to paragraph (2)(b), the department shall establish a deadline for submitting applications. The department shall award funding to school districts in a manner that allows for an equitable distribution of funding statewide based on student population.

(5)(2) Elementary schools and middle schools may establish digital classrooms in which students are provided opportunities to improve digital literacy and competency; to learn digital skills, such as coding, multiple media presentation, and the manipulation of multiple digital graphic images; and to earn digital tool certificates and certifications pursuant to s. 1003.4203 and grade-appropriate, technology-related industry certifications.

(6)(3) High school students must be provided ~~schools may provide~~ ~~students~~ opportunities to take computer science courses to satisfy high school graduation requirements, including, but not limited to, the following:

(a) High school computer science courses of sufficient rigor, as identified by the commissioner, such that one credit in computer science and the earning of related industry certifications constitute the equivalent of up to one credit of the mathematics requirement, with the exception of Algebra I or higher-level mathematics, or up to one credit of the science requirement, with the exception of Biology I or higher-level science, for high school graduation. Computer science courses and technology-related industry certifications that are identified as eligible for meeting mathematics or science requirements for high school graduation shall be included in the Course Code Directory.

(b) High school computer technology courses in 3D rapid prototype printing of sufficient rigor, as identified by the commissioner, such that one or more credits in such courses and related industry certifications earned may satisfy up to two credits of mathematics required for high school graduation with the exception of Algebra I. Computer technology courses in 3D rapid prototype printing and related industry certifications that are identified as eligible for meeting mathematics requirements for high school graduation shall be included in the Course Code Directory.

(7) Subject to legislative appropriation, a classroom teacher who was evaluated as effective or highly effective pursuant to s. 1012.34 in the previous school year or who is newly hired by the district school board and has not been evaluated pursuant to s. 1012.34 must receive a bonus as follows:

(a) If the classroom teacher holds an educator certificate in computer science pursuant to s. 1012.56 or if he or she has passed the computer science subject area examination and holds an adjunct certificate issued by a school district pursuant to s. 1012.57, he or she shall receive a bonus of \$1,000 after each year the individual completes teaching a computer science course identified in the Course Code Directory pursuant to paragraph (2)(b) at a public middle, high, or combination school in the state, for up to 3 years.

(b) If the classroom teacher holds an industry certification associated with a course identified in the Course Code Directory pursuant to paragraph (2)(b), he or she shall receive a bonus of \$500 after each year the individual completes teaching the identified course at a public middle, high, or combination school in the state, for up to 3 years.

A school district shall report a qualifying classroom teacher to the department by a date and in a format established by the department. An eligible classroom teacher shall receive his or her bonus upon completion of the school year in which he or she taught the course. A teacher may not receive more than one bonus per year under this subsection.

(8)(4) The State Board of Education shall ~~may~~ adopt rules to administer this section.

Section 7. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2018.

And the title is amended as follows:

Remove everything before the enacting clause and insert: An act to be entitled An act relating to academic instruction; amending s. 1003.4282, F.S.; revising the courses required for a standard diploma; requiring school districts to provide a financial literacy course as an elective; providing requirements for such instruction; requiring the Department of Education to identify certain assessments for specified purposes; amending s. 1003.436, F.S.; authorizing a district school board participating in the Mastery-Based Education Pilot Program to award credit based on student mastery of certain content and skills; amending s. 1003.437, F.S.; authorizing a district school board participating in the Mastery-Based Education Pilot Program to use an alternative interpretation of letter grades for certain students; amending s. 1003.4996, F.S.; renaming the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program; authorizing public school districts to submit applications for the program; authorizing participating school districts to amend their applications to include alternatives for the award credits and interpretation of letter grades; providing requirements for such alternatives; deleting a requirement that the State Board of Education adopt rules; amending s. 1007.23, F.S.; requiring the statewide articulation agreement to ensure fair and equitable access for students with mastery-based, nontraditional diplomas and transcripts; providing contingent appropriations; amending s. 1007.2616, F.S.; providing a definition; providing requirements for specified instruction relating to computer science; requiring certain computer science courses to be included in the Course Code Directory and published on the Department of Education's website by a specified date; requiring the Florida Virtual School to offer certain computer science courses; requiring school districts to provide access to computer science courses offered by the Florida Virtual school or by other means under certain circumstances; providing funds for school districts to provide professional development for classroom teachers; providing Department of Education responsibilities for the distribution of such funds; requiring high school students to be provided opportunities to take certain courses to certain meet graduation requirements; providing funds for bonuses for certain classroom teachers; requiring, rather than authorizing, the State Board of Education to adopt rules; providing effective dates.

On motion by Senator Hukill, the Senate refused to concur in **House Amendment 1 (872419)** to **CS for SB 88** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 382, with amendment(s), and requests the concurrence of the Senate.

Portia Palmer, Clerk

**CS for SB 382**—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 2017-193, Laws of Florida; providing for "The Hope and Healing Highway" designation, notwithstanding a specified provision; providing an effective date.

**House Amendment 1 (187041) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. *Transportation facility designations; Department of Transportation to erect suitable markers.*—

(1) *That portion of I-595 between S.W. 136th Avenue and S.R. 823/Flamingo Road in Broward County is designated as "Deputy Ryan Sequin Memorial Highway."*

(2) *That portion of I-75/Alligator Alley between mile marker 24 and mile marker 26 in Broward County is designated as "Trooper Stephen G. Rouse Memorial Highway."*

(3) *The Minneola interchange on S.R. 91/Florida's Turnpike at N. Hancock Road in Lake County is designated as "Tera Ross Memorial Interchange."*

(4) *That portion of U.S. 90/S.R. 10 between Chaires Cross Road and S.R. 59 in Leon County and Jefferson County is designated as "Deputy Christopher Smith Memorial Highway."*

(5) *The pedestrian bridge over S.R. 436/Semoran Boulevard (75003000) at Abercorn Drive in Orange County is designated as "Elias 'Rico' Piccard Memorial Overpass."*

(6) *Bridge number 105503 on W. Laurel Street over the Hillsborough River in Hillsborough County is designated as "Fortune Taylor Bridge."*

(7) *That portion of N.W. 133rd Avenue between N.W. 11th Street and N.W. 12th Street in Broward County is designated as "Patricia Angella Barrett Lewis and Charlton Pernell Lewis Avenue."*

(8) *That portion of 5th Street between Euclid Avenue and Lenox Avenue in Miami-Dade County is designated as "Joseph Emmanuel 'Manno' Charlemagne Street."*

(9) *The bridge on Peninsula Corp Drive over I-95 in Palm Beach County is designated as "Richard Jason Randolph Memorial Bridge."*

(10) *That portion of I-75/S.R. 93 (03175000) between mile marker 110 and the Broward County line in Collier County is designated as "Submarine Veterans Memorial Highway."*

(11) *That portion of S.R. 4 between Munson Highway and S.R. 189 in Santa Rosa and Okaloosa Counties is designated as "Senator Greg Evers Memorial Highway."*

(12) *That portion of U.S. 90/S.R. 10 between S.R. 285 and N. 9th Street/S.R. 83 N. in Walton County is designated as "Lieutenant Ewart T. Sconiers Highway."*

(13) *That portion of S.R. 9336/S.W. 344th Street/W. Palm Drive between S.W. 192nd Avenue/Tower Road and S.W. 177th Avenue/S. Krome Avenue in Miami-Dade County is designated as "Steve Mainster Memorial Drive."*

(14) *Upon completion of construction, the pedestrian bridge over S.R. 390 at Kentucky Avenue and Mowat School Road in Bay County is designated as "Harold Haynes Memorial Pedestrian Bridge."*

(15) *That portion of S.R. 109/University Boulevard between Clifton Avenue and Fort Caroline Road in Duval County is designated as "Jim Tullis Memorial Boulevard."*

(16) *That portion of S.R. 46 between International Parkway and S.R. 431/Orange Boulevard in Seminole County is designated as "Dr. R.C. Sproul Way."*

(17) *That portion of S.R. 190/Valparaiso Parkway between S.R. 85/Government Avenue and S.R. 397/John Sims Parkway in Okaloosa County is designated as "John B. Arnold, Jr., Memorial Highway."*

(18) *Bridge number 570018 on S.R. 85/Eglin Parkway over Garnier Bayou in Okaloosa County is designated as "Deputies Tony Forgiione and Bill Myers Memorial Bridge."*

(19) *That portion of S.R. 85 between College Boulevard and Colonel Greg Malloy Road in Okaloosa County is designated as "SFC William Kelly Lacey Memorial Highway."*

(20) *That portion of S.R. 414/Maitland Boulevard between Magnolia Homes Road and S.R. 434/Forest City Road in Seminole County is designated as "Deputy Matt Miller Memorial Boulevard."*

(21) *That portion of S.R. 464/Maricamp Road between S.E. 25th Avenue and S.E. 24th Street in Marion County is designated as "Nelle W. Needham Memorial Highway."*

(22) *Bridge numbers 150202 and 150203 on S.R. 580/Main Street in Pinellas County are designated as "Gold Star Family Memorial Bridge, dedicated to U.S. Army CPL Frank R. Gross."*

(23) *That portion of U.S. 17-92 between Wisconsin Avenue and Saxon Boulevard in Volusia County is designated as "Amos Walter Atchley Memorial Highway."*

(24) *That portion of S.R. 415 between Acorn Lake Road and Reed Ellis Road in Volusia County is designated as "David G. Ledgerwood Memorial Highway."*

(25) *That portion of E. 9th Avenue between N. 13th Street and N. 14th Street in Hillsborough County is designated as "Nick Capitano Memorial Road."*

(26) *That portion of C.R. 574/7th Avenue between N. 20th Street and 22nd Street in Hillsborough County is designated as "Gonzmart Memorial Road."*

(27) *That portion of S.R. 583/56th Street between S.R. 574/E. Dr. Martin Luther King, Jr., Boulevard and Harney Road in Hillsborough County is designated as "Pepin Memorial Road."*

(28) *That portion of Port Avenue between McCloskey Boulevard and Shoreline Avenue in Hillsborough County is designated as "Barkett Memorial Road."*

(29) *That portion of N. MacDill Avenue between W. Woodlawn Avenue and S.R. 574 in Hillsborough County is designated as "Jim Holmes Memorial Road."*

(30) *That portion of the San Juan Street Extension in Anastasia State Park between Santander Street and Anastasia Park Road in St. Johns County is designated as "Nona and Popa Road."*

(31) *That portion of U.S. 90 between Main Avenue and Martin Luther King, Jr., Avenue in Jefferson County is designated as "Lance Corporal Clemon 'Clyde' Alexander Memorial Drive."*

(32) *That portion of S.R. 115/Southside Boulevard between Geiger Road and Leahy Road in Duval County is designated as "Benolken Parkway."*

(33) *That portion of U.S. 90 between the Shoal River Bridge and the Walton County line in Okaloosa County is designated as "Deputies Skip York and Burt Lopez Memorial Highway."*

(34) *That portion of S.R. 19 between Lane Park Cutoff Road and U.S. 441 in Lake County is designated as "Sheriff Chris Daniels Memorial Highway."*

(35) *That portion of Hoagland Boulevard between Old Tampa Highway and Pershing Street in Osceola County is designated as "Officer Matthew Baxter and Sergeant Richard Sam Howard, III Boulevard."*

(36) That portion of Bruce B. Downs Boulevard between Cypress Preserve Drive and Amberly Drive in Hillsborough County is designated as "Stevie LaDue Giving Hope Highway."

(37) That portion of E. 4th Avenue between 21st Street and 25th Street in Miami-Dade County is designated as "John J. Brunetti, Sr., Avenue."

(38) That portion of State Road 371/373/Orange Avenue between State Road 263/Capital Circle Southwest and State Road 61/Monroe Street in Leon County is designated as "CK Steele Memorial Highway."

(39) The Department of Transportation is directed to erect suitable markers designating the transportation facilities as described in this section.

Section 2. This act shall take effect July 1, 2018.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

Senator Montford moved the following amendment to House Amendment 1 (187041) which was adopted:

Senate Amendment 2 (420538) (with title amendment) to House Amendment 1 (187041)—Between lines 131 and 132 insert:

Section 2. Subsection (35) of section 1 of chapter 2017-193, Laws of Florida, is amended to read:

Section 1. Transportation facility designations; Department of Transportation to erect suitable markers.—

(35) Notwithstanding s. 334.071(3), that portion of U.S. 1 between Broward Boulevard and Sunrise Boulevard, in Broward County, is designated as "The Hope and Healing Highway."

And the title is amended as follows:

Delete line 142 and insert: to erect suitable markers; amending chapter 2017-193, Laws of Florida; providing for "The Hope and Healing Highway" designation, notwithstanding a specified provision; providing an effective

On motion by Senator Book, the Senate concurred in Senate Amendment 2 (420538) to House Amendment 1 (187041) and requested the House to concur in the Senate Amendment to the House Amendment.

CS for SB 382 passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Brandes

BILLS ON THIRD READING

Consideration of HB 7037 and CS for CS for HB 937 was deferred.

RULING ON POINT OF ORDER

The President recognized Senator Benacquisto, Chair of the Committee on Rules, on SB 100, in returning messages, which was previously considered this day with pending Senate Amendment 1 (644860) and pending point of order.

Senator Benacquisto: Senator Rader raised a point of order that the amendment by Senator Brandes, barcode 644860, to SB 100 was not germane to the Senate bill. The subject of the Senate bill is identification of driver licenses for veterans. The amendment includes the transportation package previously passed by the Senate. The amendment changes the relating to clause to an act relating to transportation, clearly expanding the bill beyond its original purpose, contrary to Rule 7.1(6). The amendment is also drawn to the original Senate bill rather than the House amendment, as required by Senate Rule 7.8. Therefore, Mr. President, I recommend that the point by Senator Rader be well taken and Senator Brandes' amendment be found out of order.

President Negron: Based on the recommendation of Rules Chair Benacquisto, I find that the point is well taken and the amendment is out of order.

BILLS ON THIRD READING, continued

CS for CS for HB 875—A bill to be entitled An act relating to limitations of actions other than for the recovery of real property; amending s. 95.11, F.S.; authorizing the commencement, within a specified time-frame, of counterclaims, cross-claims, and third-party claims after the pleading to which such claims relate; specifying that certain corrections and repairs do not extend the period of time within which an action must be commenced; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Passidomo, CS for CS for HB 875 was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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 read the third time by title.

On motion by Senator Young, **HB 449** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Galvano

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**HB 6003**—A bill to be entitled An act relating to the Participant Local Government Advisory Council; amending s. 218.409, F.S.; abolishing the Participant Local Government Advisory Council; amending ss. 218.421 and 218.422, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **HB 6003** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Brandes

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**CS for HB 529**—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.202, F.S.; requiring that door-step refuse and recycling collection containers be allowed in exit access corridors of certain apartment occupancies under certain circumstances; authorizing authorities having jurisdiction to approve certain alternative containers and storage arrangements; requiring such authorities to allow apartment occupancies a phase-in period until a specified date to comply; providing for future repeal; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 529** 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	Hutson	Steube
Bradley	Lee	Stewart
Brandes	Mayfield	Taddeo
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young
Farmer	Powell	
Flores	Rader	

Nays—1

Hukill

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**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 read the third time by title.

On motion by Senator Mayfield, **CS for CS for HB 483** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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**HB 6009**—A bill to be entitled An act relating to write-in candidates; repealing s. 99.0615, F.S., relating to write-in candidate residency requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Rader, **HB 6009** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Galvano	Passidomo	Stargel	Rader	Simpson	Thurston
Garcia	Perry	Steube	Rodriguez	Steube	Torres
Gibson	Powell	Stewart	Rouson	Stewart	Young
Grimsley	Rader	Taddeo	Simmons	Taddeo	
Hutson	Rodriguez	Thurston			
Lee	Rouson	Torres	Nays—2		
Mayfield	Simmons	Young			
Montford	Simpson		Perry	Stargel	

Nays—3

Baxley	Farmer	Hukill
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**CS for HB 675**—A bill to be entitled An act relating to pharmacies; amending s. 465.003, F.S.; revising and providing definitions; amending s. 465.004, F.S.; revising the membership of the Board of Pharmacy; amending s. 465.019, F.S.; establishing Class III institutional pharmacies; providing requirements for such pharmacies; conforming provisions to changes made by the act; amending s. 465.0252, F.S.; revising notice requirements to conform to changes made by the act; amending s. 499.003, F.S.; providing and revising definitions; amending s. 499.01, F.S.; authorizing the distribution of medicinal drugs and prepackaged drug products without a specified permit under certain conditions; deleting a provision exempting certain drug repackagers from specified permit requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for HB 675** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for CS for HB 6535**—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa’s death as a result of the negligence of the Department of Transportation; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Thurston, **CS for CS for HB 6535** was passed and certified to the House. The vote on passage was:

Yeas—35

Baxley	Broxson	Grimsley
Bean	Campbell	Hukill
Benacquisto	Farmer	Hutson
Book	Flores	Lee
Bracy	Gainer	Mayfield
Bradley	Galvano	Montford
Brandes	Garcia	Passidomo
Braynon	Gibson	Powell

**CS for CS for HB 937**—A bill to be entitled An act relating to perinatal mental health; providing a short title; creating s. 383.014, F.S.; requiring the Department of Health to offer perinatal mental health care information through the Family Health Line toll-free hot-line accessible to the general public; amending s. 383.318, F.S.; revising components that are included in the postpartum evaluation and followup care provided by birth centers to include a mental health screening and the provision of certain information on postpartum depression; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Book, **CS for CS for HB 937** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Brandes

**HB 6505**—A bill to be entitled An act for the relief of Vonshelle Brothers, as the natural parent and legal guardian of Iyonna Hughey; providing an appropriation to compensate her daughter for injuries and damages sustained as a result of the alleged negligence of the Brevard County Health Department, an agency of the Department of Health; providing that certain payments and the appropriation satisfy all present and future claims related to the alleged negligent acts; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Rodriguez, **HB 6505** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Campbell	Lee
Baxley	Farmer	Mayfield
Bean	Flores	Montford
Benacquisto	Gainer	Passidomo
Book	Galvano	Powell
Bracy	Garcia	Rader
Bradley	Gibson	Rodriguez
Brandes	Grimsley	Rouson
Braynon	Hukill	Simmons
Broxson	Hutson	Simpson

Stargel	Taddeo	Young
Steube	Thurston	
Stewart	Torres	

Nays—1

Perry

**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 read the third time by title.

On motion by Senator Perry, **CS for HB 411** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

By direction of the President, pursuant to Rule 4.3(3), the Senate reverted to—

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES, continued

The Senate resumed consideration of—

**SB 100**—A bill to be entitled An act relating to identification card and driver license fees for veterans; amending ss. 322.051 and 322.14, F.S.; deleting fees for adding the word “Veteran” to an identification card or a driver license; revising acceptable forms of identification required to add the word “Veteran” to an identification card or a driver license; amending s. 322.135, F.S.; prohibiting tax collectors from charging certain driver license service fees to veterans who present specified forms of identification; providing an effective date.

—which was previously considered this day with pending **House Amendment 1 (583351)**.

On motion by Senator Steube, the Senate concurred in **House Amendment 1 (583351)**.

**SB 100** passed, as amended, by the required constitutional two-thirds vote of the membership, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

### BILLS ON THIRD READING, continued

**CS for CS for CS for HB 705**—A bill to be entitled An act relating to a public records; amending s. 373.089, F.S.; providing an exemption for valuations, certain records, and sales offers for sales related to surplus lands; authorizing disclosure of such records under certain circumstances; 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 Baxley, **CS for CS for CS for HB 705** 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	Rader
Baxley	Galvano	Rouson
Bean	Garcia	Simmons
Benacquisto	Gibson	Simpson
Book	Grimsley	Stargel
Bracy	Hukill	Steube
Bradley	Hutson	Stewart
Brandes	Lee	Taddeo
Braynon	Mayfield	Thurston
Broxson	Montford	Torres
Campbell	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—1

Rodriguez

### MOMENT OF SILENCE

At the request of Senator Rader, the Senate observed a moment of silence in honor of Irving Rosenthal of Boca Raton who passed away last week.

**CS for HB 1065**—A bill to be entitled An act relating to expunction of criminal history records; amending s. 943.0585, F.S.; providing that a person receiving a judgment of acquittal or not guilty verdict is eligible to have his or her criminal record expunged; amending s. 943.059, F.S.; revising the circumstances under which the Department of Law Enforcement must issue a certificate of eligibility for the sealing of a criminal history record; providing an effective date.

—was read the third time by title.

**SENATOR BENACQUISTO PRESIDING**

On motion by Senator Bracy, **CS for HB 1065** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

**CS for HB 703**—A bill to be entitled An act relating to water management district surplus lands; amending s. 373.089, F.S.; requiring a water management district to publish a notice of intention to sell surplus lands on its website; revising the circumstances when a water management district must publish the first notice of intention to sell surplus lands; revising the process for selling certain lower valued surplus lands; defining the term “adjacent property owners”; providing an effective date.

—was read the third time by title.

On motion by Senator Baxley, **CS for HB 703** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Rodriguez

Vote after roll call:

Yea—Bradley

**THE PRESIDENT PRESIDING**

**CS for HB 1301**—A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; reducing the aggregate and consecutive number of days used to determine residency for purposes of sexual predator or sexual offender registration; providing for a mandatory minimum sentence of community control with electronic monitoring for certain offenses committed by sexual predators if the court does not impose a prison sentence; amending s. 943.0435, F.S.; providing for a mandatory minimum sentence of community control with electronic monitoring for certain offenses committed by sexual offenders if the court does not impose a prison sentence; providing an effective date.

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

**RECONSIDERATION OF AMENDMENT**

On motion by Senator Book, the Senate reconsidered the vote by which **Amendment 1 (813382)** was adopted March 8.

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

Senator Steube moved the following amendment to **Amendment 1 (813382)** which was adopted by two-thirds vote:

**Amendment 1A (805216) (with title amendment)**—Delete lines 5-118 and insert:

Section 3. Effective January 1, 2019, section 787.061, Florida Statutes, is created to read:

*787.061 Civil actions by victims of human trafficking.—*

(1) *FINDINGS.—The Legislature finds that, to achieve the intent of the Legislature relating to human trafficking expressed in s. 787.06(1)(d), it is necessary to provide a civil cause of action for the recovery of compensatory and punitive damages, attorney fees, and costs.*

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

(a) *“Facilitator” means a person who knowingly, or in willful blindness, assists or provides resources or goods or services to a trafficker which assist or enable the trafficker to carry out human trafficking. The term does not include a person who facilitates human trafficking as a result of force, threat, or coercion.*

(b) *“Human trafficking” has the same meaning as provided in s. 787.06.*

(c) *“Trafficker” means any person who knowingly engages in human trafficking, attempts to engage in human trafficking, or benefits financially by receiving anything of value from participation in a venture that has subjected a person to human trafficking.*

(d) *“Venture” means any group of two or more individuals associated in fact, whether or not a legal entity.*

(e) *“Victim of human trafficking” means a person subjected to coercion, as defined in s. 787.06, for the purpose of being used in human trafficking; a child under 18 years of age subjected to human trafficking; or an individual subjected to human trafficking as defined by federal law.*

(f) *“Willful blindness” exists when a person has knowledge of information that would raise suspicions in a reasonable person and he or she deliberately refrains from obtaining confirmation of or acting on the information because he or she wants to remain in ignorance, such that knowledge of the facts avoided can reasonably and fairly be imputed to the person who avoided confirming it.*

(3) *CIVIL CAUSE OF ACTION.—*

(a) *A victim of human trafficking has a civil cause of action against the trafficker or facilitator who victimized her or him and may recover damages as provided in this section.*

(b) *The action may be brought in any court of competent jurisdiction, and the standard of proof is the greater weight of the evidence, but the standard of proof for punitive damages under this section is clear and convincing evidence.*

(c) *A victim who prevails in any such action is entitled to recover economic and noneconomic damages, punitive damages, reasonable attorney fees, reasonable investigative expenses, and costs.*

1. *Economic damages include, but are not limited to, past and future medical and mental health expenses; repatriation expenses, when a victim elects repatriation; and all other reasonable costs and expenses incurred by the victim in the past or estimated to be incurred by the victim in the future as a result of the human trafficking.*

2. Noneconomic damages include pain and suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of capacity for enjoyment of life, and other nonfinancial losses.

(d) The remedies provided in this section are in addition to and cumulative with other legal and administrative remedies available to victims of human trafficking, except that a victim may not recover under this section and s. 772.104(2). If a parent or legal guardian knowingly or through willful blindness trafficked the victim, facilitated such trafficking, or otherwise participated in the human trafficking of the victim, such parent or legal guardian is not entitled to damages or distributions under this section.

(e) If a victim prevails in an action under this section, and if one or more law enforcement agencies rescued the victim or stopped the abuse or exploitation of a victim on the property where it occurred, the court shall assess a civil penalty against the defendant in the amount of \$50,000 and award the penalty to such law enforcement agencies to fund future efforts to combat human trafficking. This penalty is in addition to, and not in lieu of, any other damage award. The court shall equitably distribute this civil penalty among the law enforcement agencies. The entire \$50,000 civil penalty shall be distributed to the law enforcement agencies unless the proceeds become subject to equitable distribution under paragraph (f).

(f) If an action brought under this section is either settled before a jury verdict or the victim is unable to recover the full amount of the compensatory damages caused by the human trafficking, the court must determine the percentage of the victim's damages that were recovered, after deducting a victim's reasonable and necessary out-of-pocket expenses, but before attorney fees, and that same percentage of \$50,000 must be paid from the recovery to the law enforcement agencies to fund future efforts to combat human trafficking if one or more law enforcement agencies are entitled to a civil penalty under paragraph (e).

(g) The court shall have specific authority to consolidate civil actions for the same trafficker or facilitator for the purpose of case resolution and aggregate jurisdiction.

And the title is amended as follows:

Delete lines 233-239 and insert: to impose a civil penalty under certain circumstances; providing that such actions are subject to

POINT OF ORDER

Senator Broxson raised a point of order that pursuant to Rule 7.1(7)(c), Senator Book's Amendment 1 (813382) contained language of a bill not reported favorably by all committees of reference and was therefore out of order.

The President referred the point of order and the amendment to Senator Benacquisto, Chair of the Committee on Rules, and ordered further consideration of CS for HB 1301 with pending Amendment 1 (813382), as amended, and pending point of order deferred.

CS for HB 565—A bill to be entitled An act relating to excess credit hour surcharges; amending s. 1009.286, F.S.; requiring a state university to return a specified amount of assessed excess credit hour surcharges to first-time-in-college students who meet certain requirements; providing an effective date.

—was read the third time by title.

SENATOR FLORES PRESIDING

On motion by Senator Bean, CS for HB 565 was passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns: Baxley, Bean, Benacquisto, Book, Bracy, Bradley, Brandes, Braynon, Broxson, Campbell, Farmer, Flores, Gainer, Galvano, Garcia

Table with 3 columns: Gibson, Grimsley, Hukill, Hutson, Lee, Mayfield, Montford, Passidomo, Perry, Powell, Rader, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Taddeo, Thurston, Torres, Young

Nays—None

HB 6501—A bill to be entitled An act for the relief of Cristina Alvarez and George Patnode; providing appropriations to compensate them for the death of their son, Nicholas Patnode, a minor, due to the negligence of the Department of Health; providing for the repayment of Medicaid liens; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Rodriguez, HB 6501 was passed and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Baxley, Bean, Benacquisto, Book, Bracy, Bradley, Brandes, Braynon, Broxson, Campbell, Farmer, Flores, Gainer, Galvano, Garcia, Gibson, Grimsley, Hukill, Hutson, Lee, Mayfield, Montford, Passidomo, Powell, Rader, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Taddeo, Thurston, Torres, Young

Nays—1

Perry

CS for CS for SB 1314—A bill to be entitled An act relating to the Florida Capital Formation Act; amending s. 20.60, F.S.; deleting the requirement that the Department of Economic Opportunity manage certain activities related to the commercialization of specified products, services, and ideas; specifying that the Institute for Commercialization of Florida Technology is not an appropriate direct-support organization; amending s. 288.9621, F.S.; including s. 288.96255, F.S., in the Florida Capital Formation Act; amending s. 288.9622, F.S.; revising legislative intent; amending s. 288.9623, F.S.; defining terms; amending s. 288.9625, F.S.; redesignating the Institute for the Commercialization of Public Research as the Institute for Commercialization of Florida Technology; specifying that the institute is not subject to control, supervision, or direction by the department; deleting provisions regarding the institute's responsibilities; requiring that the investment-related affairs of the institute be managed by the private fund manager and overseen by the board of directors; restructuring the board of directors and the selection process for the board of directors; specifying term limits of the board members under certain circumstances; requiring the board of directors to amend the bylaws of the institute under certain circumstances; providing that a director is subject to restrictions on certain conflicts of interest; prohibiting a director from having a financial interest in certain investments; authorizing a director to be reimbursed for certain expenses; granting the institute certain powers; requiring the institute to indemnify certain persons; delegating certain duties to the board of directors; revising to whom the board must provide a copy of the annual report and who may require and receive supplemental data relative to the institute's operation; specifying that certain requirements be met before the private fund manager is authorized to make an investment in a company, on behalf of the institute; deleting provisions relating to certain duties of the institute; deleting provisions relating to certain fees charged by the institute and the



prohibition on using capital in support of certain entities; specifying that the annual report is considered a public record subject to certain exemptions; revising the requirements of the institute's annual report; listing requirements and prohibitions for the private fund manager; stating the purpose of the institute's use of the private fund manager; requiring the private fund manager to assume the management of certain assets; authorizing the private fund manager to act on behalf of the institute for certain purposes; requiring that the private fund manager be paid certain fees; authorizing the private fund manager to undertake certain activities on behalf of the institute; requiring the private fund manager to issue an annual report to the board of directors by a specific date; specifying that the annual report is considered a public record subject to certain exemptions; requiring that the report contain certain information; amending s. 288.96255, F.S.; requiring that certain proceeds be returned to the Florida Technology Seed Capital Fund after the payment of certain costs and fees; requiring the institute to employ a private fund manager; requiring the private fund manager to perform specific duties; requiring that the private fund manager receive certain fees and costs at a specified time; requiring the private fund manager to use a certain process to evaluate a proposal; requiring the private fund manager to consider certain factors when approving a company for investment; deleting specific requirements for the investment of funds; authorizing the private fund manager, in addition to the institute, to perform certain tasks; amending s. 288.9627, F.S.; conforming provisions to changes made by this act; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for SB 1314** was passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns of names: Baxley, Bean, Benacquisto, Book, Bracy, Bradley, Brandes, Braynon, Broxson, Campbell, Farmer, Flores, Gainer, Galvano, Garcia, Gibson, Grimsley, Hukill, Hutson, Lee, Mayfield, Montford, Passidomo, Perry, Powell, Rader, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Taddeo, Thurston, Torres, Young.

Nays—None

**HB 1201**—A bill to be entitled An act relating to education for prisoners; amending s. 944.801, F.S.; authorizing the Department of Corrections to contract with certain entities to provide education services for the Correctional Education Program; amending s. 951.176, F.S.; authorizing each county to contract with certain entities to provide education services for county inmates; amending s. 1011.80, F.S.; authorizing the use of state funds for the operation of postsecondary workforce programs for the education of certain state inmates; providing an effective date.

—was read the third time by title.

On motion by Senator Rouson, **HB 1201** was passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns of names: Baxley, Bean, Benacquisto, Book, Bracy, Bradley, Brandes, Braynon, Broxson, Campbell, Farmer, Flores, Gainer, Galvano, Garcia, Gibson, Grimsley, Hukill, Hutson, Lee, Mayfield, Montford, Passidomo, Perry, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Taddeo, Thurston, Torres, Young.

Table with 3 columns of names: Powell, Rader, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Taddeo, Thurston, Torres, Young.

Nays—None

**CS for SB 1066**—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the third time by title.

On motion by Senator Baxley, **CS for SB 1066** was passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns of names: Baxley, Bean, Benacquisto, Book, Bracy, Bradley, Brandes, Braynon, Broxson, Campbell, Farmer, Flores, Gainer, Galvano, Garcia, Gibson, Grimsley, Hukill, Hutson, Lee, Mayfield, Montford, Passidomo, Perry, Powell, Rader, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Taddeo, Thurston, Torres, Young.

Nays—None

Consideration of **CS for CS for HB 1151** was deferred.

**HB 523**—A bill to be entitled An act relating to trespass on airport property; amending s. 810.09, F.S.; providing enhanced criminal penalties for a trespass upon the operational area of an airport with specified intent if specified signage is posted; providing a definition; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **HB 523** was passed and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns of names: Baxley, Bean, Benacquisto, Book, Bracy, Brandes, Braynon, Broxson, Campbell, Farmer, Flores, Gainer, Galvano, Garcia, Gibson, Grimsley, Hukill, Hutson, Lee, Mayfield, Montford, Passidomo, Perry, Powell, Rader, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Taddeo, Thurston, Torres, Young.

Nays—1

Bradley

**CS for CS for CS for HB 1069**—A bill to be entitled An act relating to substance abuse services; amending s. 394.4572, F.S.; authorizing the

Department of Health and the Agency for Health Care Administration to grant exemptions from disqualification for service provider personnel to work solely in certain treatment programs and facilities; amending s. 397.311, F.S.; defining the term “peer specialist”; amending s. 397.4073, F.S.; revising provisions relating to background checks and exemptions from disqualification for certain service provider personnel; requiring the Department of Children and Families to grant or deny an exemption from disqualification within a certain timeframe; authorizing an applicant for an exemption to work under the supervision of certain persons for a specified period of time while his or her application is pending; authorizing certain persons to be exempted from disqualification from employment; authorizing the department to grant exemptions from disqualification for service provider personnel to work solely in certain treatment programs and facilities; creating s. 397.417, F.S.; providing qualifications for certification as a peer specialist; requiring the department to develop and implement a training program for individuals seeking certification as peer specialists; authorizing the department to designate certain credentialing entities to certify peer specialists; providing requirements for individuals providing certain recovery support services as peer specialists; amending s. 397.487, F.S.; revising legislative findings relating to voluntary certification of recovery residences; requiring recovery residences to comply with specified Florida Fire Prevention Code provisions; revising background screening requirements for owners, directors, and chief financial officers of recovery residences; amending s. 397.4873, F.S.; providing exceptions to limitations on referrals by recovery residences to licensed service providers; providing additional conditions for an exception to limitations on referrals by licensed service providers to their wholly owned subsidiaries; prohibiting recovery residences and specified affiliated individuals from receiving pecuniary benefits from licensed service providers for certain referrals; providing penalties; amending s. 435.07, F.S.; authorizing certain persons to be exempted from disqualification from employment; amending ss. 212.055, 397.416, and 440.102, F.S.; conforming cross-references; providing an effective date.

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

On motion by Senator Rouson, **CS for CS for CS for HB 1069**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**CS for CS for HB 1337**—A bill to be entitled An act relating to nursing; amending s. 464.003, F.S.; defining the term “advanced practice registered nurse”; deleting the terms “advanced registered nurse practitioner,” “clinical nurse specialist,” and “clinical nurse specialist practice,” to conform to changes made by the act; repealing s. 464.0115, F.S., relating to the certification of clinical nurse specialists; amending s. 464.012, F.S.; requiring any nurse desiring to be licensed as an advanced practice registered nurse to apply to the Department of Health, submit proof that he or she holds a current license to practice professional nursing, and meet one or more specified requirements as determined by the Board of Nursing; authorizing the board to adopt rules to provide for provisional state licensure of certified nurse midwives, certified nurse practitioners, certified registered nurse anesthetists, clinical nurse specialists, and psychiatric nurses for a specified period of time; requiring the department and the board to establish a transition process for converting certain certified practitioners to licensed practitioners; authorizing certain certified practitioners to continue practicing

advanced nursing during a specified period of time; providing construction; providing an expiration date for provisions relating to the transition from certification to licensure; conforming provisions to changes made by the act; amending s. 960.28, F.S.; conforming a cross-reference; amending ss. 39.303, 39.304, 90.503, 110.12315, 121.0515, 252.515, 310.071, 310.073, 310.081, 320.0848, 381.00315, 381.00593, 383.14, 383.141, 384.27, 390.0111, 390.012, 394.455, 395.0191, 397.311, 397.4012, 397.427, 397.679, 397.6793, 400.021, 400.462, 400.487, 400.506, 400.9973, 400.9974, 400.9976, 400.9979, 401.445, 409.905, 409.908, 409.973, 429.918, 456.0391, 456.0392, 456.041, 456.048, 456.072, 456.44, 458.3265, 458.331, 458.348, 459.0137, 459.015, 459.025, 464.003, 464.004, 464.013, 464.015, 464.016, 464.018, 464.0205, 467.003, 480.0475, 483.041, 483.801, 486.021, 490.012, 491.0057, 491.012, 493.6108, 627.357, 627.6471, 627.6472, 627.736, 633.412, 641.3923, 766.103, 766.1115, 766.1116, 766.118, 794.08, 893.02, 893.05, 943.13, 948.03, 1002.20, 1002.42, 1006.062, 1009.65, 1009.66, and 1009.67, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for HB 1337** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

**CS for CS for HB 1211**—A bill to be entitled An act relating to airboat regulation; providing a short title; amending s. 327.391, F.S.; requiring a commercial airboat operator to have specified documents onboard the airboat while carrying passengers for hire; providing an exception; providing a penalty; directing the Fish and Wildlife Conservation Commission to adopt rules by a specified date; providing an effective date.

—was read the third time by title.

On motion by Senator Rader, **CS for CS for HB 1211** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Bradley

CS for CS for CS for HB 165—A bill to be entitled An act relating to written threats to conduct mass shootings or acts of terrorism; amending s. 836.10, F.S.; prohibiting a person from making threats to conduct a mass shooting or act of terrorism in a writing or other record and transmitting that threat in any manner that would allow another person to view the threat; amending s. 921.0022, F.S.; revising the offense ranking to include written threats to conduct a mass shooting or act of terrorism; reenacting ss. 794.056 and 938.085, F.S., relating to the Rape Crises Program Trust Fund and additional cost to fund rape crises centers, respectively, to incorporate the amendments made by the act; providing an effective date.

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

On motion by Senator Steube, CS for CS for CS for HB 165, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns: Baxley, Bean, Benacquisto, Book, Bracy, Bradley, Brandes, Braynon, Broxson, Campbell, Farmer, Flores, Gainer, Galvano, Garcia, Gibson, Grimsley, Hukill, Hutson, Lee, Mayfield, Montford, Passidomo, Perry, Powell, Rader, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Taddeo, Thurston, Torres, Young

Nays—None

SB 358—A bill to be entitled An act relating to transportation facility designations; providing honorary designation of a certain transportation facility in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the third time by title.

On motion by Senator Broxson, SB 358 was passed and certified to the House. The vote on passage was:

Yeas—34

Table with 3 columns: Baxley, Bean, Benacquisto, Book, Bracy, Bradley, Braynon, Broxson, Campbell, Farmer, Flores, Gainer, Galvano, Garcia, Gibson, Grimsley, Hukill, Hutson, Mayfield, Montford, Passidomo, Perry, Powell, Rader, Rodriguez, Rouson, Simmons, Simpson, Stargel, Steube, Stewart, Thurston, Torres, Young

Nays—None

Vote after roll call:

Yea—Brandes

HB 215—A bill to be entitled An act relating to autocycles; amending s. 316.003, F.S.; defining the term “autocycle”; revising the definition of the term “motorcycle”; amending s. 316.614, F.S.; requiring safety belt usage by an operator or passenger of an autocycle; amending s. 320.01, F.S.; including an autocycle in the definition of the term “motorcycle”; amending s. 322.03, F.S.; authorizing operation of an autocycle without

a motorcycle endorsement; amending s. 322.12, F.S.; providing applicability; amending s. 403.415, F.S.; conforming provisions to changes made by the act; amending ss. 212.05, 316.303, 320.08, and 655.960, F.S.; conforming cross-references; providing an effective date.

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

RECONSIDERATION OF AMENDMENT

On motion by Senator Perry, the Senate reconsidered the vote by which Amendment 1 (622474) was adopted.

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

Senator Perry moved the following amendment to Amendment 1 (622474) which was adopted by two-thirds vote:

Amendment 1A (269940) (with title amendment)—Between lines 208 and 209 insert:

Section 10. Section 334.352, Florida Statutes, is created to read:

334.352 State university ingress and egress.—A local governmental entity may not prevent public motor vehicle use on or access to an existing transportation facility or transportation corridor as defined in s. 334.03 if that transportation facility or transportation corridor is the only point, or one of only two points, of ingress to and egress from a state university as defined in s. 1000.21. This section does not apply when a law enforcement agency prevents use or access to a facility or corridor in an emergency situation or to a temporary closure of a facility or corridor, if necessary, for road maintenance or repair.

And the title is amended as follows:

Delete line 600 and insert: “motor vehicle”; creating s. 334.352, F.S.; prohibiting a local governmental entity from preventing motor vehicle access to a transportation facility or transportation corridor under certain circumstances; providing construction; amending s. 403.415, F.S.; revising

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

Senator Campbell moved the following amendment to Amendment 1 (622474) which failed to receive the required two-thirds vote:

Amendment 1B (450108) (with title amendment)—Between lines 208 and 209 insert:

Section 10. Section 334.352, Florida Statutes, is created to read:

334.352 State university ingress and egress.—A local governmental entity may not prevent public motor vehicle use on or access to an existing transportation facility or transportation corridor as defined in s. 334.03 if that transportation facility or transportation corridor is the only point, or one of only two points, of ingress to and egress from a state university as defined in s. 1000.21 and regulated by the Board of Governors of the State University System as provided in s. 20.155.

And the title is amended as follows:

Delete line 600 and insert: “motor vehicle”; creating s. 334.352, F.S.; prohibiting a local governmental entity from preventing motor vehicle access to a transportation facility or transportation corridor under certain circumstances; amending s. 403.415, F.S.; revising

Amendment 1 (622474), as amended, was adopted by two-thirds vote.

On motion by Senator Perry, HB 215, as amended, was passed and certified to the House. The vote on passage was:

Yeas—33

Table with 3 columns: Baxley, Bean, Benacquisto, Book, Bracy, Bradley, Brandes, Broxson, Farmer, Flores, Gainer, Galvano

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

Nays—3

Braynon	Campbell	Gibson
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**CS for CS for HB 1383**—A bill to be entitled An act relating to tax deed sales; amending s. 197.502, F.S.; requiring a tax certificateholder to pay specified costs required to bring the property on which taxes are delinquent to sale; requiring the tax collector to cancel a tax deed application if certain costs are not paid within a specified period for certain purposes; revising procedures for applying for, recording, and releasing tax deed applications; revising the entities that must be notified before the sale of the property; revising provisions to require property information reports for certain purposes; prohibiting a tax collector from accepting or paying for a property information report under certain circumstances; amending s. 197.522, F.S.; authorizing a clerk to rely on addresses provided by the tax collector for specified purposes; amending s. 197.582, F.S.; revising procedures for the disbursement of surplus funds by clerks; providing forms for use in noticing and claiming surplus funds; specifying methods for delivering claims to the clerk’s office; providing deadlines for filing claims; providing procedures to be used by clerks in determining disbursement of surplus funds; authorizing a tax deed recipient to pay specified liens; specifying procedures to be used by the tax clerk if surplus funds are not claimed; providing an effective date.

—was read the third time by title.

On motion by Senator Rouson, **CS for CS for HB 1383** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

**CS for SB 848**—A bill to be entitled An act relating to telepharmacy; amending s. 465.003, F.S.; revising and providing definitions; amending s. 465.014, F.S.; authorizing a certified pharmacy technician to dispense medicinal drugs under certain conditions; amending s. 465.015, F.S.; conforming provisions to changes made by the act; creating s. 465.0198, F.S.; providing permit requirements for remote dispensing site pharmacies; providing operating requirements and prohibitions for a remote dispensing site pharmacy; requiring the prescription department manager or other pharmacist employed by the supervising pharmacy to visit the remote dispensing site pharmacy; providing certification and experience requirements for a certified pharmacy technician working at a remote site pharmacy; prohibiting a certified pharmacy technician from performing sterile or nonsterile compounding; providing an exception; providing construction; amending s. 465.022, F.S.; authorizing a Florida licensed pharmacist to serve as the prescription drug manager at more than one remote dispensing site pharmacy under certain con-

ditions; amending s. 465.0265, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

On motion by Senator Grimsley, **CS for SB 848**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Torres

**CS for HB 581**—A bill to be entitled An act relating to subpoenas in investigations of sexual offenses; creating s. 934.255, F.S.; defining terms; authorizing an investigative or law enforcement officer conducting an investigation into specified matters to subpoena certain persons or entities for the production of records, documents, or other tangible things and testimony; specifying requirements for the issuance of a subpoena; authorizing a subpoenaed person to petition a court for an order modifying or setting aside the subpoena or a prohibition on disclosure; authorizing an investigative or law enforcement officer to retain subpoenaed records, documents, or other tangible objects under certain circumstances; prohibiting the disclosure of a subpoena for a specified period if the disclosure might result in an adverse result; providing exceptions; specifying the acts that constitute an adverse result; requiring the investigative or law enforcement officer to maintain a true copy of a written certification; authorizing a court to grant extension of certain periods under certain circumstances; requiring an investigative or law enforcement officer to serve or deliver a copy of the process along with specified information upon the expiration of a non-disclosure period or delay of notification; authorizing an investigative or law enforcement officer to apply to a court for an order prohibiting certain entities from notifying any person of the existence of a subpoena under certain circumstances; authorizing an investigative or law enforcement officer to petition a court to compel compliance; authorizing a court to punish a person who does not comply with a subpoena as indirect criminal contempt; providing criminal penalties; precluding a cause of action against certain entities or persons for providing information, facilities, or assistance in accordance with terms of a subpoena; providing for preservation of evidence pending issuance of process; providing that certain entities or persons shall be held harmless from any claim and civil liability resulting from disclosure of specified information; providing for reasonable compensation for reasonable expenses incurred in providing assistance; requiring that a subpoenaed witness be paid certain fees and mileage; providing an effective date.

—was read the third time by title.

On motion by Senator Baxley, **CS for HB 581** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Bradley	Farmer
Bean	Brandes	Flores
Benacquisto	Braynon	Gainer
Book	Broxson	Galvano
Bracy	Campbell	Garcia

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

Nays—None

**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 read the third time by title.

On motion by Senator Montford, **HB 577** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

**CS for HB 721**—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 397.321, F.S.; deleting a requirement that the Department of Children and Families develop a certification process by rule for community substance abuse prevention coalitions; amending ss. 916.13 and 916.15, F.S.; requiring the department to request medical information from jails pertaining to certain defendants within a specified timeframe; requiring jails to provide such information to the department within a specified timeframe; requiring the continued administration of psychotropic medication to certain defendants upon their discharge and transfer to jails under certain conditions; specifying that final authority regarding the administration of such medication rests with the jail physician; providing an effective date.

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

On motion by Senator Baxley, **CS for HB 721**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Campbell	Hutson
Bean	Farmer	Lee
Benacquisto	Flores	Mayfield
Book	Gainer	Montford
Bracy	Galvano	Passidomo
Bradley	Garcia	Perry
Brandes	Gibson	Powell
Braynon	Grimsley	Rader
Broxson	Hukill	Rodriguez

Rouson	Steube	Torres
Simmons	Stewart	Young
Simpson	Taddeo	
Stargel	Thurston	

Nays—None

**THE PRESIDENT PRESIDING**

**CS for HB 533**—A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; authorizing property and casualty insurers to refuse to insure or continue to insure an applicant or insured for failing to purchase certain noninsurance motor vehicle services; providing an effective date.

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

On motion by Senator Grimsley, **CS for HB 533**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**HB 599**—A bill to be entitled An act relating to lis pendens; 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; providing an effective date.

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

On motion by Senator Powell, **HB 599**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for CS for HB 465**—A bill to be entitled An act relating to insurance; amending s. 625.151, F.S.; providing an exception from va-

valuation rules for stocks in subsidiaries for certain foreign insurers under certain conditions; amending s. 625.325, F.S.; exempting foreign insurers from investment requirements relating to subsidiaries and corporations under certain conditions; amending s. 626.221, F.S.; providing an exception from an examination requirement for an all-lines adjuster license applicant with a specified designation; repealing s. 626.918(2)(a), F.S., relating to eligibility of certain surplus lines insurers; amending s. 626.9651, F.S.; revising requirements for rules adopted by the Department of Financial Services and the Financial Services Commission relating to the privacy of certain consumer information; amending s. 627.416, F.S.; revising requirements for execution of insurance policies; amending s. 627.43141, F.S.; revising the requirements for notice of change in policy terms; amending s. 627.7015, F.S.; authorizing insurers to participate in mediations requested by third parties; revising terminology; amending s. 627.728, F.S.; providing requirements for sufficient proof of notice for certain motor vehicle insurance notices; amending s. 628.4615, F.S.; revising the definition of the term “specialty insurer” to include viatical settlement providers; providing requirements and procedures for a person seeking to rebut a presumption of control in a specialty insurer; amending s. 628.8015, F.S.; revising the type of documents that are not admissible in evidence in a private civil action; amending s. 629.401, F.S.; revising reserve requirements for reciprocal insurers; amending s. 634.121, F.S.; providing definitions; providing that provisions relating to the delivery of insurance policy documents by insurers to policyholders apply to certain motor vehicle service agreements provided by motor vehicle service agreement companies; deleting specified methods for the delivery of such documents; amending s. 641.3107, F.S.; providing definitions; providing that provisions relating to the delivery of insurance policy documents by insurers to policyholders apply to delivery of such documents by health maintenance organizations to subscribers; providing effective dates.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for HB 465** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for SB 820**—A bill to be entitled An act relating to firesafety inspectors; creating s. 633.217, F.S.; prohibiting certain actions to influence a firesafety inspector to violate the Florida Fire Prevention Code, other rules of the State Fire Marshal, or ch. 633, F.S.; providing criminal penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Powell, **CS for SB 820** was passed and certified to the House. The vote on passage was:

Yeas—37

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

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

Nays—None

**CS for SB 1862**—A bill to be entitled An act relating to the Physician Fee Sharing Task Force; creating s. 456.0541, F.S.; establishing the Physician Fee Sharing Task Force within the Department of Health; providing for duties, membership, and meetings of the task force; requiring a report to the Governor and Legislature by a specified date; providing for expiration of the task force; providing an effective date.

—was read the third time by title.

On motion by Senator Broxson, **CS for SB 1862** 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	Lee	Taddeo
Braynon	Mayfield	Thurston
Broxson	Montford	Torres
Campbell	Passidomo	Young
Farmer	Perry	
Flores	Powell	

Nays—None

Vote after roll call:

Yea—Rader

Consideration of **CS for HB 7087** was deferred.

**CS for CS for HB 141**—A bill to be entitled An act relating to transportation; amending s. 338.222, F.S.; revising provisions relating to contracting and negotiation between the Department of Transportation and local governmental entities for acquisition, construction, or operation of turnpike projects; amending s. 338.155, F.S.; exempting a law enforcement officer from paying a toll on a toll facility when operating an official vehicle while on official law enforcement business; amending s. 338.26, F.S.; requiring fees generated from tolls to be used to reimburse, by interlocal agreement, a county or another local governmental entity for the direct actual costs of operating a specified fire station providing services to the public on Alligator Alley; deleting obsolete language; amending s. 348.0003, F.S.; requiring the governing body of an authority to report certain compliance information to the Governor; providing for the formation of a new board under certain circumstances; providing for appointment of new members; providing an effective date.

—was read the third time by title.

On motion by Senator Passidomo, **CS for CS for HB 141** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Bean	Book
Baxley	Benacquisto	Brandes

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

Nays—2

Bradley	Campbell
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Vote after roll call:

Yea to Nay—Braynon

**SENATOR GALVANO PRESIDING**

**SB 870**—A bill to be entitled An act relating to capital felonies; amending ss. 921.141 and 921.142, F.S.; providing legislative findings and intent regarding the retroactive application of *Hurst v. State*, No. SC12-1947 (Fla., October 14, 2016); providing an effective date.

—was read the third time by title.

On motion by Senator Bracy, **SB 870** was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—3

Bradley	Gainer	Grimsley
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Vote after roll call:

Yea—Galvano

**CS for CS for HB 731**—A bill to be entitled An act relating to home education; amending s. 1002.41, F.S.; specifying that a home education program is not a school district program and is registered with the district school superintendent only for the purpose of complying with the state’s attendance requirements; revising the content requirements of a notice of enrollment of a student in a home education program; requiring the district school superintendent to immediately register a home education program upon receipt of the notice; prohibiting a school district from requiring additional information or verification of a home education student except in specified circumstances; authorizing a school district to provide home education program students with access to certain courses and programs offered by the school district; requiring reporting and funding through the Florida Education Finance Program; requiring home education program students be provided access to certain certifications and assessments offered by the school district; prohibiting a school district from taking certain actions against a home education program student’s parent unless such action is necessary for a school district program; amending s. 1003.21, F.S.; prohibiting a district school superintendent from requiring certain evidence relating to a child’s age from children enrolling in specified schools and programs; amending s. 1003.26, F.S.; authorizing a school district super-

intendent to refer certain cases relating to student nonenrollment to the child study team of certain schools; requiring the child study team to provide specified services in such instances; conforming cross-references; amending s. 1003.27, F.S.; requiring a school and school district to comply with specified provisions before instituting criminal prosecution against certain parents relating to compulsory school attendance; amending s. 1006.15, F.S.; revising the standards required for a home education student to participate in extracurricular activities; amending s. 1007.271, F.S.; prohibiting the limitation of dual enrollment course enrollments under certain circumstances; deleting a requirement for a home education student to provide his or her own instructional materials; revising the requirements for home education and private school articulation agreements; prohibiting dual enrollment course and program limitations for home education students from exceeding limitations for other students; providing an exemption from the grade point average requirement for initial enrollment in a dual enrollment program for certain home education students; amending s. 1002.385, F.S.; conforming cross-references; providing a contingent appropriation; providing an effective date.

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

On motion by Senator Baxley, **CS for CS for HB 731**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

**CS for HB 7061**—A bill to be entitled An act relating to the jurisdiction of county courts; amending s. 28.241, F.S.; requiring specified filing fees for appeals from certain county courts; amending s. 34.01, F.S.; increasing the jurisdictional limit for actions at law by county courts; amending s. 34.041, F.S.; providing county court civil filing fees for claims of a specified value; providing for distribution of said fees; amending s. 44.108, F.S.; providing that a certain mediation fee is not applicable to certain appeals; providing applicability; providing an effective date.

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

On motion by Senator Steube, **CS for HB 7061**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1348—A bill to be entitled An act relating to community development districts; amending s. 190.046, F.S.; authorizing sufficiently contiguous lands located within the county or municipality which a petitioner anticipates adding to the boundaries of a new community development district to also be identified in a petition to establish the new district under certain circumstances; providing requirements for the petition; providing notification requirements for the petition; prohibiting a parcel from being included in the district without the written consent of the owner of the parcel; authorizing a person to petition the county or municipality to amend the boundaries of the district to include a certain parcel after establishment of the district; prohibiting a filing fee for such petition; providing requirements for the petition; requiring the person to provide the petition to the district and to the owner of the proposed additional parcel before filing the petition with the county or municipality; requiring the county or municipality to process the addition of the parcel to the district as an amendment to the ordinance that establishes the district once the petition is determined sufficient and complete; authorizing the county or municipality to process all such petitions even if the addition exceeds specified acreage; providing notice requirements for the intent to amend the ordinance establishing the district; providing that the amendment of a district by the addition of a parcel does not alter the transition from landowner voting to qualified elector voting; requiring the petitioner to cause to be recorded a certain notice of boundary amendment upon adoption of the ordinance expanding the district; providing construction; providing an effective date.

—was read the third time by title.

On motion by Senator Perry, CS for SB 1348 was passed and certified to the House. The vote on passage was:

Yeas—29

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Hukill	Simpson
Bradley	Hutson	Steube
Brandes	Lee	Taddeo
Braynon	Montford	Thurston
Broxson	Perry	Young
Flores	Powell	

Nays—7

Campbell	Mayfield	Torres
Farmer	Passidomo	
Grimsley	Stewart	

Vote after roll call:

Yea—Stargel

Nay to Yea—Grimsley, Mayfield, Passidomo

CS for CS for CS for HB 841—A bill to be entitled An act relating to community associations; amending s. 194.011, F.S.; specifying that a condominium, cooperative, or homeowners’ association may represent unit or parcel owners in certain proceedings; requiring notice to unit or parcel owners of such proceedings; amending s. 194.181, F.S.; specifying that a condominium, cooperative, or homeowners’ association may be a party to an action contesting the assessment of ad valorem taxes; amending s. 718.111, F.S.; revising condominium association recordkeeping and financial reporting requirements; revising record retention policies; revising the list of documents that the association is required to post online; limiting an association’s liability for inadvertent disclosure of protected or restricted information; amending s. 718.112, F.S.; revising provisions relating to required association bylaws; revising board term limits; authorizing an association to adopt rules for posting certain notices on a website; providing responsibilities for unit owners who receive electronic notices; revising and providing board member recall and challenge requirements; authorizing the recovery of attorney fees and costs in an action to challenge the validity of a board

member recall; amending s. 718.113, F.S.; revising voting requirements relating to alterations and additions to certain common elements or association property; providing legislative findings; providing that an association may not prohibit a unit owner from installing an electronic vehicle charging station; providing requirements for installing such charging station; amending s. 718.121, F.S.; providing when the installation of an electronic vehicle charging station may be the basis of a lien; amending s. 718.3026, F.S.; removing a provision relating to certain contracts or transactions regarding conflicts of interest; amending s. 718.3027, F.S.; providing requirements for proposed activity that is identified as a conflict of interest; amending s. 718.303, F.S.; revising fine and suspension requirements; amending s. 718.707, F.S.; revising the time period for classification as a bulk assignee or bulk buyer; amending s. 719.104, F.S.; revising cooperative association recordkeeping requirements; amending s. 719.106, F.S.; revising requirements to serve as a board member; prohibiting a board member from voting via e-mail; authorizing an association to adopt rules for posting certain notices on a website; providing responsibilities for unit owners who receive electronic notices; providing that directors or officers who are delinquent in certain payments owed in excess of certain periods of time be deemed to have abandoned their offices; amending s. 719.107, F.S.; specifying that certain services which are obtained pursuant to a bulk contract are deemed a common expense; amending s. 719.303, F.S.; revising fine and suspension requirements; amending s. 720.303, F.S.; prohibiting a board member from voting via e-mail; amending s. 720.305, F.S.; revising fine and suspension requirements; amending s. 720.306, F.S.; requiring an association to follow certain procedures when amending a governing document; providing limitations on and exceptions for associations when a parcel owner attempts to rent or lease his or her home; requiring certain notices to parcel owners be delivered in specified ways; revising election requirements; amending s. 720.3085, F.S.; providing applicability; providing an effective date.

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

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

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

**Amendment 3 (289590) (with title amendment)**—Delete lines 73-185 and insert:

Section 1. Subsection (3), paragraphs (a), (b), and (g) of subsection (12), and paragraph (e) of subsection (13) of section 718.111, Florida Statutes, are amended to read:

718.111 The association.—

(3) POWER TO MANAGE CONDOMINIUM PROPERTY AND TO CONTRACT, SUE, AND BE SUED; ~~CONFLICT OF INTEREST.~~—

(a) The association may contract, sue, or be sued with respect to the exercise or nonexercise of its powers. For these purposes, the powers of the association include, but are not limited to, the maintenance, management, and operation of the condominium property. After control of the association is obtained by unit owners other than the developer, the association may institute, maintain, settle, or appeal actions or hearings in its name on behalf of all unit owners concerning matters of common interest to most or all unit owners, including, but not limited to, the common elements; the roof and structural components of a building or other improvements; mechanical, electrical, and plumbing elements serving an improvement or a building; representations of the developer pertaining to any existing or proposed commonly used facilities; and protesting ad valorem taxes on commonly used facilities and on units; and may defend actions in eminent domain or bring inverse condemnation actions. If the association has the authority to maintain a class action, the association may be joined in an action as representative of that class with reference to litigation and disputes involving the matters for which the association could bring a class action. Nothing herein limits any statutory or common-law

And the title is amended as follows:

Delete lines 3-10 and insert: 718.111,



Amendment 4 (549860)—Delete lines 189-190 and insert:

(b) An association may not hire an attorney who represents the management company of the association.

On motion by Senator Passidomo, CS for CS for CS for HB 841, as amended, was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Rodriguez

Consideration of CS for HB 365 was deferred.

CS for HB 55—A bill to be entitled An act relating to the sale of firearms; amending s. 790.065, F.S.; requiring Department of Law Enforcement procedures to allow the payment or transmittal of processing fees for criminal history checks of potential firearms buyers by electronic means; providing that criminal history check requests by licensed importers, manufacturers, and dealers to the department may be made by electronic means; providing an effective date.

—was read the third time by title.

On motion by Senator Steube, CS for HB 55 was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Consideration of CS for SB 1048 was deferred.

THE PRESIDENT PRESIDING

MOTIONS

On motion by Senator Benacquisto, the rules were waived and time of adjournment was extended until 11:00 p.m.

INTRODUCTION OF RESOLUTIONS

On motion by Senator Benacquisto, by unanimous consent—

By Senator Benacquisto—

SCR 1946—A concurrent resolution extending the 2018 Regular Session of the Florida Legislature under the authority of Section 3(d), Article III of the State Constitution.

WHEREAS, the 60 days of the 2018 Regular Session of the Florida Legislature will expire on Friday, March 9, 2018, and the necessary tasks of the session have not been completed, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That, notwithstanding Senate Concurrent Resolution 1524, the 2018 Regular Session of the Florida Legislature is extended until 11:59 p.m. on Sunday, March 11, 2018, under the authority of Section 3(d), Article III of the State Constitution.

BE IT FURTHER RESOLVED that, in the regular session so extended, the Legislature shall consider only the following matters:

- (1) House Bill 5001 or any Senate and House Conference Committee Report thereon.
- (2) House Bill 5003 or any Senate and House Conference Committee Report thereon.
- (3) House Bill 5005 or any Senate and House Conference Committee Report thereon.
- (4) Committee Substitute for House Bill 7087.

BE IT FURTHER RESOLVED that all other measures in both houses are indefinitely postponed and withdrawn from consideration of the respective house as of 12:00 a.m., Saturday, March 10, 2018.

BE IT FURTHER RESOLVED that upon recess or adjournment on Friday, March 9, 2018, either house may reconvene upon the call of its presiding officer.

BE IT FURTHER RESOLVED that the Legislature shall adjourn sine die at the earlier of Sunday, March 11, 2018, at 11:59 p.m. or upon concurrent motions to adjourn sine die.

—was introduced out of order and read by title.

On motion by Senator Benacquisto, by two-thirds vote, SCR 1946 was read the second time in full.

Pending further consideration of SCR 1946—

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 adopted HCR 1457 by the required constitutional three-fifths vote of the membership voting and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Oliva—

HCR 1457—A concurrent resolution extending the 2018 Regular Session of the Florida Legislature under the authority of Section 3(d), Article III of the State Constitution.

WHEREAS, the 60 days of the 2018 Regular Session of the Florida Legislature will expire on Friday, March 9, 2018, and the necessary tasks of the session have not been completed, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That, notwithstanding Senate Concurrent Resolution 1524, the 2018 Regular Session of the Florida Legislature is extended until 11:59 p.m. on Sunday, March 11, 2018, under the authority of Section 3(d), Article III of the State Constitution.

BE IT FURTHER RESOLVED that the regular session so extended shall consider only the following matters:

- (1) House Bill 5001 or any Senate and House Conference Committee Report thereon.
- (2) House Bill 5003 or any Senate and House Conference Committee Report thereon.
- (3) House Bill 5005 or any Senate and House Conference Committee Report thereon.
- (4) Committee Substitute for House Bill 7087.

BE IT FURTHER RESOLVED that all other measures in both houses are indefinitely postponed and withdrawn from consideration of the respective house as of 12:00 a.m., Saturday, March 10, 2018.

BE IT FURTHER RESOLVED that upon recess or adjournment on Friday, March 9, 2018, either house may reconvene upon the call of its presiding officer.

BE IT FURTHER RESOLVED that the Legislature shall adjourn sine die at the earlier of Sunday, March 11, 2018, at 11:59 p.m. or upon concurrent motions to adjourn sine die.

—a companion measure, was substituted for **SCR 1946** and, by two-thirds vote, read the second time in full, adopted by the required constitutional three-fifths vote of the members present and voting, and certified to the House.

### DISSOLUTION OF CONFERENCE COMMITTEE ON HB 7067

House Concurrent Resolution 1457, having been adopted this day, did not include issues relating to **HB 7067**. The following statement was released by President Negron and Speaker Corcoran regarding the Conference Committee on Gaming and **HB 7067**:

#### Joint Statement Concerning the Conference Committee

Despite the good faith efforts of both the House and Senate, a gaming bill will not pass the Legislature this session. We appreciate the tireless efforts of Chair Hutson and Chair La Rosa, as well as the many members of the House and Senate, and the professional staff, who worked diligently during these final days and hours of session. Gaming remains one of the most difficult issues we face as a Legislature. We are pleased with the progress made over the last week and know that our colleagues will continue to work on this important issue.

*Joe Negron*  
President of the Senate

*Richard Corcoran*  
Speaker of the House  
of Representatives

### BILLS ON THIRD READING, continued

The Senate resumed consideration of—

**CS for HB 1301**—A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; reducing the aggregate and consecutive number of days used to determine residency for purposes of sexual predator or sexual offender registration; providing for a mandatory minimum sentence of community control with electronic monitoring for certain offenses committed by sexual predators if the court does not impose a prison sentence; amending s. 943.0435, F.S.; providing for a mandatory minimum sentence of community control with electronic monitoring for certain offenses committed by sexual offenders if the court does not impose a prison sentence; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (813382)** by Senator Book and pending point of order.

### RULING ON POINT OF ORDER

The President recognized Senator Benacquisto, Chair of the Committee on Rules, on **CS for HB 1301** with pending **Amendment 1 (813382)** and pending point of order.

**Senator Benacquisto:** Senator Broxson raised a point of order that the amendment by Senator Book, barcode (813382) to CS for HB 1301 was not germane to the House bill. The subject of the House bill is sexual offenders and predators. The amendment relates to human trafficking and a civil cause of action. After reviewing the relevant papers and consulting with professional staff, mainly the staff director of the Criminal Justice Committee, I have determined that the amendment expands the original purpose of the bill and requires an amendment to the relating clause that would be needed to accommodate this expansion, and such title change is not provided in the amendment. Therefore, Mr. President, I recommend that the point be well taken by Senator Broxson and that the Book amendment be ruled out of order pursuant to Rule 7.1(6).

**President Negron:** Based on the recommendation of Rules Chair Benacquisto, I find that the point is well taken and the amendment is out of order.

Senator Book moved the following amendment which failed to receive the required two-thirds vote:

#### **Amendment 3 (706938)**—

In title, delete line 2 and insert: An act relating to public safety;

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

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

**Amendment 4 (232322) (with title amendment)**—Delete line 206 and insert:

Section 3. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2018.

And the title is amended as follows:

Delete line 14 and insert: prison sentence; providing effective dates.

On motion by Senator Book, **CS for HB 1301**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Rodriguez

**CS for CS for HB 1151**—A bill to be entitled An act relating to developments of regional impact; amending s. 380.06, F.S.; revising the statewide guidelines and standards for developments of regional impact; deleting criteria that the Administration Commission is required to consider in adopting its guidelines and standards; revising provisions

relating to the application of guidelines and standards; revising provisions relating to variations and thresholds for such guidelines and standards; deleting provisions relating to the issuance of binding letters; specifying that previously issued letters remain valid unless previously expired; specifying the procedure for amending a binding letter of interpretation; specifying that previously issued clearance letters remain valid unless previously expired; deleting provisions relating to authorizations to develop, applications for approval of development, concurrent plan amendments, preapplication procedures, preliminary development agreements, conceptual agency review, application sufficiency, local notice, regional reports, and criteria for the approval of developments inside and outside areas of critical state concern; revising provisions relating to local government development orders; specifying that amendments to a development order for an approved development may not amend to an earlier date the date before which a development would be subject to downzoning, unit density reduction, or intensity reduction, except under certain conditions; removing a requirement that certain conditions of a development order meet specified criteria; specifying that construction of certain mitigation-of-impact facilities is not subject to competitive bidding or competitive negotiation for selection of a contractor or design professional; removing requirements relating to local government approval of developments of regional impact that do not meet certain requirements; removing a requirement that the Department of Economic Opportunity and other agencies cooperate in preparing certain ordinances; authorizing developers to record notice of certain rescinded development orders; specifying that certain agreements regarding developments that are essentially built out remain valid unless previously expired; deleting requirements for a local government to issue a permit for a development subsequent to the buildout date contained in the development order; specifying that amendments to development orders do not diminish or otherwise alter certain credits for a development order exaction or fee against impact fees, mobility fees, or exactions; deleting a provision relating to the determination of certain credits for impact fees or extractions; deleting a provision exempting a nongovernmental developer from being required to competitively bid or negotiate construction or design of certain facilities except under certain circumstances; specifying that certain capital contribution front-ending agreements remain valid unless previously expired; deleting a provision relating to local monitoring; revising requirements for developers regarding reporting to local governments and specifying that such reports are not required unless required by a local government with jurisdiction over a development; revising the requirements and procedure for proposed changes to a previously approved development of regional impact and deleting rulemaking requirements relating to such procedure; revising provisions relating to the approval of such changes; specifying that certain extensions previously granted by statute are still valid and not subject to review or modification; deleting provisions relating to determinations as to whether a proposed change is a substantial deviation; deleting provisions relating to comprehensive development-of-regional-impact applications and master plan development orders; specifying that certain agreements that include two or more developments of regional impact which were the subject of a comprehensive development-of-regional-impact application remain valid unless previously expired; deleting provisions relating to downtown development authorities; deleting provisions relating to adoption of rules by the state land planning agency; deleting statutory exemptions from development-of-regional-impact review; specifying that an approval of an authorized developer for an areawide development of regional impact remains valid unless previously expired; deleting provisions relating to areawide developments of regional impact; deleting an authorization for the state land planning agency to adopt rules relating to abandonment of developments of regional impact; requiring local governments to file a notice of abandonment under certain conditions; deleting an authorization for the state land planning agency to adopt a procedure for filing such notice; requiring a development-of-regional-impact development order to be abandoned by a local government under certain conditions; deleting a provision relating to abandonment of developments of regional impact in certain high-hazard coastal areas; authorizing local governments to approve abandonment of development orders for an approved development under certain conditions; deleting a provision relating to rights, responsibilities, and obligations under a development order; deleting partial exemptions from development-of-regional-impact review; deleting exemptions for

dense urban land areas; specifying that proposed developments that exceed the statewide guidelines and standards and that are not otherwise exempt be approved by local governments instead of through specified development-of-regional-impact proceedings; providing an exception; amending s. 380.061, F.S.; specifying that the Florida Quality Developments program only applies to previously approved developments in the program before the effective date of the act; specifying a process for local governments to adopt a local development order to replace and supersede the development order adopted by the state land planning agency for the Florida Quality Developments; deleting program intent, eligibility requirements, rulemaking authorizations, and application and approval requirements and processes; deleting an appeals process and the Quality Developments Review Board; amending s. 380.0651, F.S.; deleting provisions relating to the superseding of guidelines and standards adopted by the Administration Commission and the publishing of guidelines and standards by the Administration Commission; conforming a provision to changes made by the act; specifying exemptions and partial exemptions from development-of-regional-impact review; deleting provisions relating to determining whether there is a unified plan of development; deleting provisions relating to the circumstances where developments should be aggregated; deleting a provision relating to prospective application of certain provisions; deleting a provision authorizing state land planning agencies to enter into agreements for the joint planning, sharing, or use of specified public infrastructure, facilities, or services by developers; deleting an authorization for the state land planning agency to adopt rules; amending s. 380.07, F.S.; deleting an authorization for the Florida Land and Water Adjudicatory Commission to adopt rules regarding the requirements for developments of regional impact; revising when a local government must transmit a development order to the state land planning agency, the regional planning agency, and the owner or developer of the property affected by such order; deleting a process for regional planning agencies to undertake appeals of development-of-regional-impact development orders; revising a process for appealing development orders for consistency with a local comprehensive plan to be available only for developments in areas of critical state concern; deleting a procedure regarding certain challenges to development orders relating to developments of regional impact; amending s. 380.115, F.S.; deleting a provision relating to changes in development-of-regional-impact guidelines and standards and the impact of such changes on vested rights, duties, and obligations pursuant to any development order or agreement; requiring local governments to monitor and enforce development orders and prohibiting local governments from issuing permits, approvals, or extensions of services if a developer does not act in substantial compliance with an order; deleting provisions relating to changes in development of regional impact guidelines and standards and their impact on the development approval process; amending s. 125.68, F.S.; conforming a cross-reference; amending s. 163.3245, F.S.; conforming cross-references; conforming provisions to changes made by the act; revising the circumstances in which applicants who apply for master development approval for an entire planning area must remain subject to a master development order; specifying an exception; deleting a provision relating to the level of review for applications for master development approval; amending s. 163.3246, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 189.08, F.S.; conforming a cross-reference; conforming a provision to changes made by the act; amending s. 190.005, F.S.; conforming cross-references; amending ss. 190.012 and 252.363, F.S.; conforming cross-references; amending s. 369.303, F.S.; conforming a provision to changes made by the act; amending ss. 369.307, 373.236, and 373.414, F.S.; conforming cross-references; amending s. 378.601, F.S.; conforming a provision to changes made by the act; repealing s. 380.065, F.S., relating to a process to allow local governments to request certification to review developments of regional impact that are located within their jurisdictions in lieu of the regional review requirements; amending ss. 380.11 and 403.524, F.S.; conforming cross-references; amending s. 163.3164, F.S.; defining the term "master development plan" or "master plan"; amending s. 212.055, F.S.; conforming a cross-reference; repealing specified rules regarding uniform review of developments of regional impact by the state land planning agency and regional planning agencies; repealing the rules adopted by the Administration Commission regarding whether two or more developments, represented by their owners or developers to be separate developments,

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

—was read the third time by title.

On motion by Senator Lee, **CS for CS for HB 1151** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Rodriguez

By direction of the President, pursuant to Rule 4.3(3), the Senate reverted to—

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment (903866), concurred in the same as amended, and passed HB 7093 as further amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Ways & Means Committee and Representative(s) Renner—

**HB 7093**—A bill to be entitled An act relating to corporate income taxation; amending s. 220.03, F.S.; adopting the Internal Revenue Code as amended and in effect on January 1, 2018; creating s. 220.1105, F.S.; providing definitions; providing for the adjustment of the corporate tax rate based on net collections exceeding adjusted forecasted collections for fiscal years 2018-2019 through 2020-2021; specifying the treatment of net collections amounts that exceed adjusted forecasted net collections for fiscal years 2018-2019 through 2020-2021; amending s. 220.11, F.S.; revising the adjustment of the tax rate imposed; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term "adjusted federal income"; revising the calculation of certain taxable income based on changes to federal law; amending s. 220.63, F.S.; revising the adjustment of franchise tax rate imposed on banking and savings associations; providing emergency rulemaking authority; providing for retroactive application; providing an effective date.

**House Amendment 1 (334833) (with title amendment)**—Between lines 138 and 139 of the amendment, insert:

(6) *The 2019 Legislature shall consider the report required by subsection (3) to determine whether adjustments to the automatic tax rate adjustment mechanism under s. 220.1105, Florida Statutes, are needed.*

Section 4. Section 220.1105, Florida Statutes, is created to read:

220.1105 *Tax imposed; automatic refunds and downward adjustments to tax rates.—*

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

(a) *"Net collections" means the total amount of taxes collected under this chapter by the department in the 2018-2019 fiscal year, including related interest and penalties, minus the total amount of refunds of taxes levied under this chapter and issued by the department in that fiscal year. No later than September 1, 2019, the Office of Economic and Demographic Research shall determine net collections for the 2018-2019 fiscal year.*

(b) *"Forecasted net collections" means the amount of net collections forecasted for the 2018-2019 fiscal year by the Revenue Estimating Conference on February 23, 2018.*

(c) *"Adjusted forecasted collections" means forecasted net collections for the 2018-2019 fiscal year multiplied by 1.07.*

(d) *"Tax rate imposed" is the tax rate as defined in ss. 220.11(2) and 220.63(2) adjusted as set forth in this section.*

(2) *The tax rate imposed shall be adjusted based on net collections in the 2018-2019 fiscal year. If the net collections exceed the adjusted forecasted collections, the tax rate imposed for taxable years beginning on or after January 1, 2019, shall be the tax rate imposed for taxable years beginning on or after January 1, 2018, multiplied by the quotient of the adjusted forecasted collections divided by the net collections. The resulting tax rate shall be rounded to the nearest thousandth and rounded down if the fourth digit to the right of the decimal point is the number five.*

(3) *By October 1, 2019, the Department of Revenue shall calculate the tax rate imposed, if it is to be adjusted pursuant to subsection (2), and shall on that same date report the results of such calculation to the Governor, the President of the Senate, and the Speaker of the House of Representatives.*

(4) *Any amount by which net collections exceed adjusted forecasted collections for the 2018-2019 fiscal year shall only be used to provide refunds to corporate income tax payers as follows:*

(a) *For purposes of this subsection:*

1. *"Eligible taxpayer" means a taxpayer whose taxable year begins between April 1, 2017, and March 31, 2018, and whose final tax liability for such taxable year is greater than zero.*

2. *"Excess collections" means the amount by which net collections for the 2018-2019 year exceed adjusted forecasted collections for that fiscal year.*

3. *"Final tax liability" means the taxpayer's amount of tax due under this chapter for a taxable year, reported on a return filed pursuant to s. 220.222, including a return filed timely pursuant to a valid extension.*

4. *"Total eligible tax liability" means the sum of final tax liabilities of all eligible taxpayers.*

5. *"Taxpayer refund share" means an eligible taxpayer's final tax liability as a percentage of the total eligible tax liability.*

6. *"Taxpayer refund" means the taxpayer refund share multiplied by the excess collections.*

(b) *No later than February 15, 2020, the department shall determine total eligible tax liability, the taxpayer refund share for each eligible taxpayer, and the taxpayer refund for each eligible taxpayer.*

(c) *No later than March 1, 2020, the department shall refund a taxpayer refund to each eligible taxpayer.*

(5) *Tax rate adjustments pursuant to this section are repealed for taxable years beginning on or after January 1, 2020.*

Section 5. Subsection (2) of section 220.11, Florida Statutes, is amended to read:

220.11 *Tax imposed.—*

(2)(a) The tax imposed by this section shall be an amount equal to 5 1/2 percent of the taxpayer's net income for the taxable year, except as provided in paragraph (b).

(b) The tax rate imposed in paragraph (a) shall be adjusted as provided in s. 220.1105.

Section 6. Subsection (2) of section 220.63, Florida Statutes, is amended to read:

220.63 Franchise tax imposed on banks and savings associations.—

(2)(a) The tax imposed by this section shall be an amount equal to 5 1/2 percent of the franchise tax base of the bank or savings association for the taxable year, except as provided in paragraph (b).

(b) The tax rate imposed in paragraph (a) shall be adjusted as provided in s. 220.1105.

Section 7. (1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this act.

(2) Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(3) This section expires January 1, 2021.

And the title is amended as follows:

Remove line 162 of the amendment and insert: Conference in developing required reports; requiring the 2019 Legislature to consider the report concerning the automatic tax rate adjustment mechanism; creating s. 220.1105, F.S.; providing definitions; providing for the adjustment of the corporate tax rate based on net collections exceeding adjusted forecasted collections for fiscal years 2018-2019 through 2020-2021; specifying the treatment of net collections amounts that exceed adjusted forecasted net collections for fiscal years 2018-2019 through 2020-2021; amending s. 220.11, F.S.; revising the adjustment of the tax rate imposed; amending s. 220.63, F.S.; revising the adjustment of the franchise tax rate imposed on banking and savings associations; providing emergency rulemaking authority; providing

On motion by Senator Stargel, the Senate concurred in House Amendment 1 (334833) to Senate Amendment 1 (903866).

HB 7093 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—25

Table with 3 columns: Name, Name, Name. Lists names of senators who voted 'Yeas'.

Nays—11

Table with 3 columns: Name, Name, Name. Lists names of senators who voted 'Nays'.

Vote after roll call:

Nay—Book, Rodriguez

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

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Joe Negron President, The Florida Senate Suite 409, The Capitol 404 South Monroe Street Tallahassee, FL 32399-1100

March 9, 2018

Dear President Negron:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections conducted an inquiry concerning the qualifications of the appointees; however, the Committee on Ethics and Elections did not hold a public hearing for the following appointees during the 2018 Regular Session of the Florida Legislature:

Table with 3 columns: Office and Appointment, For Term, Ending. Lists various committees and their members with their respective terms.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of St. Johns River State College Appointee: Keith, Brian E.	05/31/2021
Board of Trustees of South Florida State College Appointees: Backer, Timothy D. Kirschner, Louis H.	05/31/2021 05/31/2021
Construction Industry Licensing Board Appointees: Donovan, Brian T. Maphis, Robert Lewis, III	10/31/2021 10/31/2021
State of Florida Correctional Medical Authority Appointee: Cuddy, Leigh-Ann	07/01/2020
Board of Trustees for the Florida School for the Deaf and the Blind Appointee: McCaul, Owen B.	12/10/2020
Board of Dentistry Appointee: Tejera, Tinerfe J.	10/31/2021
Commission on Ethics Appointee: Rezanka, Kimberly Bonder	06/30/2019
Board of Hearing Aid Specialists Appointees: Fischer, John E. Polhill, Leanne E.	10/31/2018 10/31/2020
Board of Medicine Appointee: Lopez, Jorge	10/31/2021
Board of Pharmacy Appointee: Mikhael, Mark W.	10/31/2020
Board of Pilot Commissioners Appointee: Kurtz, Carolyn J.	10/31/2021
Florida Real Estate Appraisal Board Appointee: Warren, Dawn	10/31/2020
South Florida Regional Planning Council, Region 11 Appointees: Asseff, Patricia T. Bailey, Mario J. Walters, Sandra	10/01/2019 10/01/2019 10/01/2018
Board of Veterinary Medicine Appointee: Inzina, Suzanne	10/31/2020

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education did not hold a public hearing for the following appointee. The Senate Committee on Ethics and Election conducted an inquiry concerning the qualifications of the appointee; however, the Committee on Ethics and Elections did not hold a public hearing for the following appointee during the 2018 Regular Session of the Florida Legislature:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida A & M University Appointee: Lawson, Kelvin L.	01/06/2021

The following executive appointment was referred to the Senate Committee on Commerce and Tourism and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Commerce and Tourism did not hold a public hearing for the following appointee. The Senate Committee on Ethics and Elections conducted an inquiry concerning the qualifications of the appointee; however, the Committee on Ethics and Elections did not hold a public hearing for the following appointee during the 2018 Regular Session of the Florida Legislature:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Directors, Enterprise Florida, Inc. Appointee: Beyrouti, Jay J.	09/30/2021

The following executive appointment was referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Transportation did not hold a public hearing for the following appointee. The Senate Committee on Ethics and Elections conducted an inquiry concerning the qualifications of the appointee; however, the Committee on Ethics and Elections did not hold a public hearing for the following appointee during the 2018 Regular Session of the Florida Legislature:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Transportation Commission Appointee: Howse, Ronald S.	09/30/2021

As required by Rule 12.7, the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. The Senate Committee on Ethics and Elections respectfully presents the balance of these appointments, without recommendation, for consideration by the full Senate. There is no necessity known to the Committee for the deliberations on any of these appointments to be held in executive session.

Respectfully submitted,  
*Keith Perry, Chair*

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

The vote was:

Yeas—38

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

Nays—None

By direction of the President, pursuant to Rule 4.3(3), the Senate proceeded to—

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment (872398), concurred in the same as amended, and passed CS/CS/HB 21 as further amended, and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Boyd, Ahern, Fant, Hager, Miller, M., Moraitis, Pigman, White—

**CS for CS for HB 21**—A bill to be entitled An act relating to controlled substances; creating s. 456.0301, F.S.; authorizing certain boards to require practitioners to complete a specified board-approved continuing education course to obtain authorization to prescribe controlled substances as part of biennial renewal; providing exceptions; providing course requirements; prohibiting the department from renewing a license of a prescriber under specified circumstances; requiring a licensee to submit confirmation of course completion; providing for each licensing board requiring such continuing education course to include hours of completion with the total hours of continuing education required in certain circumstances; authorizing rulemaking; amending s. 456.072, F.S.; authorizing disciplinary action against practitioners for violating specified provisions relating to controlled substances; amending s. 456.44, F.S.; providing definitions; providing exclusions; providing for the adoption of standards of practice for the treatment of acute pain; providing that failure of a practitioner to follow specified guidelines is grounds for disciplinary action; limiting opioid prescriptions for the treatment of acute pain to a specified period under certain circumstances; authorizing prescriptions for such opioids for an extended period if specified requirements are met; providing requirements for opioid prescriptions for pain other than acute pain; amending ss. 458.3265 and 459.0137, F.S.; requiring certain pain management clinic owners to register approved exemptions with the department; requiring certain clinics to obtain certificates of exemption; providing requirements for such certificates; authorizing rulemaking relating to specified exemptions; amending s. 465.0155, F.S.; providing requirements for pharmacists for the dispensing of controlled substances to persons not known to them; defining the term "proper identification"; amending s. 465.0276, F.S.; prohibiting the dispensing of certain controlled substances in an amount that exceeds a 3-day supply or a medically necessary 7-day supply if certain criteria are met; providing an exception for the dispensing of certain controlled substances by a practitioner to the practitioner's own patients for the medication-assisted treatment of opiate addiction; providing requirements for practitioners for the dispensing of controlled substances to persons not known to them; defining the term "proper identification"; amending s. 893.03, F.S.; conforming the state controlled substances schedule to the federal controlled substances schedule; amending s. 893.04, F.S.; authorizing pharmacist to dispense controlled substances upon receipt of an electronic prescription if certain conditions are met; amending s. 893.055, F.S.; revising and providing definitions; revising requirements for the prescription drug monitoring program; authorizing rulemaking; requiring the department to maintain an electronic system for certain purposes to meet specified requirements; requiring certain information to be reported to the system by a specified time; providing exceptions; specifying direct access to system information; authorizing department to enter into one or more reciprocal agreements or contracts to share prescription drug monitoring information with certain entities; providing requirements for such agreements; authorizing the department to enter into agreements or contracts for secure connections with practitioner electronic systems; requiring specified persons to consult the system for certain purposes within a specified time; providing exceptions to the duty of specified persons to consult the system under certain circumstances; authorizing the department to issue nondisciplinary citations to specified entities for failing to meet certain requirements for the initial instance and to discipline specified entities for subsequently failing to meet such requirements; providing applicability; prohibiting the failure to report the dispensing of a controlled substance as required; providing penalties; authorizing the department to enter into agreements or contracts for specified purposes; providing for the release of information obtained by the system; allowing specified persons to have direct access to information for the purpose of reviewing the controlled drug prescription history of a patient; providing prescriber or dispenser immunity from liability for review of patient history when acting in good faith; providing construction; prohibiting the department from specified uses of funds; authorizing the department to conduct or participate in studies for specified purposes; requiring an annual report to be submitted to the Governor and Legislature by a specified date; providing report requirements; providing exemptions; establishing direct-support organizations for specified purposes; defining the term "direct-support organization"; requiring a direct-support organization to operate under written contract with the department; providing contract requirements; requiring the direct-support organization to obtain written approval

from the department for specified purposes; authorizing rulemaking; providing for an independent annual financial audit by the direct-support organization; providing that copies of such audit be provided to specified entities; providing for future repeal of provisions relating to the direct-support organization; amending s. 893.0551, F.S.; revising provisions concerning release of information held by the prescription drug monitoring program; amending s. 893.13, F.S.; correcting cross-references; conforming provisions to changes made by the act; increasing the penalty for an offense; amending s. 893.147, F.S.; prohibiting the use, possession, manufacture, delivery, transportation, advertisement, or retail sale of specified paraphernalia, machines, and counterfeiting materials; providing definitions; providing exceptions to the prohibition; providing penalties; amending ss. 458.331, 459.015, 463.0055, 782.04, 893.135, and 921.0022, F.S.; correcting cross-references; conforming provisions to changes made by the act; providing effective dates.

**House Amendment 1 (829389) (with title amendment)**—Remove lines 5-732 of the amendment and insert:

Section 1. Section 456.0301, Florida Statutes, is created to read:

*456.0301 Requirement for instruction on controlled substance prescribing.*

(1)(a) *The appropriate board shall require each person registered with the United States Drug Enforcement Administration and authorized to prescribe controlled substances pursuant to 21 U.S.C. s. 822 to complete a board-approved 2-hour continuing education course on prescribing controlled substances offered by a statewide professional association of physicians in this state that is accredited to provide educational activities designated for the American Medical Association Physician's Recognition Award Category 1 Credit or the American Osteopathic Category 1-A continuing medical education credit as part of biennial license renewal. The course must include information on the current standards for prescribing controlled substances, particularly opiates; alternatives to these standards; nonpharmacological therapies; prescribing emergency opioid antagonists; and the risks of opioid addiction following all stages of treatment in the management of acute pain. The course may be offered in a distance learning format and must be included within the number of continuing education hours required by law. The department may not renew the license of any prescriber registered with the United States Drug Enforcement Administration to prescribe controlled substances who has failed to complete the course. The course must be completed by January 31, 2019, and at each subsequent renewal. This paragraph does not apply to a licensee who is required by his or her applicable practice act to complete a minimum of 2 hours of continuing education on the safe and effective prescribing of controlled substances.*

(b) *Each practitioner required to complete the course required in paragraph (a) shall submit confirmation of having completed such course when applying for biennial license renewal.*

(c) *Each licensing board that requires a licensee to complete an educational course pursuant to this subsection must include the hours required for completion of the course in the total hours of continuing education required by law for such profession unless the continuing education requirements for such profession consist of fewer than 30 hours biennially.*

(2) *Each board may adopt rules to administer this section.*

Section 2. Paragraph (gg) of subsection (1) of section 456.072, Florida Statutes, is amended to read:

**456.072** Grounds for discipline; penalties; enforcement.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(gg) Engaging in a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients, a violation of ~~any provision of~~ this chapter or ss. 893.055 and 893.0551, a violation of the applicable practice act, or a violation of any rules adopted under this chapter or the applicable practice act of the prescribing practitioner. Notwithstanding s. 456.073(13), the department may initiate an investigation and establish

such a pattern from billing records, data, or any other information obtained by the department.

Section 3. Paragraphs (a) through (g) of subsection (1) of section 456.44, Florida Statutes, are redesignated as paragraphs (b) through (h), respectively, a new paragraph (a) is added to that subsection, subsection (3) of that section is amended, and subsections (4), (5), and (6) are added to that section, to read:

456.44 Controlled substance prescribing.—

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

(a) “Acute pain” means the normal, predicted, physiological, and time-limited response to an adverse chemical, thermal, or mechanical stimulus associated with surgery, trauma, or acute illness. The term does not include pain related to:

1. Cancer.
2. A terminal condition. For purposes of this subparagraph, the term “terminal condition” means a progressive disease or medical or surgical condition that causes significant functional impairment, is not considered by a treating physician to be reversible without the administration of life-sustaining procedures, and will result in death within 1 year after diagnosis if the condition runs its normal course.
3. Palliative care to provide relief of symptoms related to an incurable, progressive illness or injury.
4. A traumatic injury with an Injury Severity Score of 9 or greater.

(3) STANDARDS OF PRACTICE FOR TREATMENT OF CHRONIC NONMALIGNANT PAIN.—The standards of practice in this section do not supersede the level of care, skill, and treatment recognized in general law related to health care licensure.

(a) A complete medical history and a physical examination must be conducted before beginning any treatment and must be documented in the medical record. The exact components of the physical examination shall be left to the judgment of the registrant who is expected to perform a physical examination proportionate to the diagnosis that justifies a treatment. The medical record must, at a minimum, document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, a review of previous medical records, previous diagnostic studies, and history of alcohol and substance abuse. The medical record shall also document the presence of one or more recognized medical indications for the use of a controlled substance. Each registrant must develop a written plan for assessing each patient’s risk of aberrant drug-related behavior, which may include patient drug testing. Registrants must assess each patient’s risk for aberrant drug-related behavior and monitor that risk on an ongoing basis in accordance with the plan.

(b) Each registrant must develop a written individualized treatment plan for each patient. The treatment plan shall state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and shall indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the registrant shall adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including a rehabilitation program, shall be considered depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment. The interdisciplinary nature of the treatment plan shall be documented.

(c) The registrant shall discuss the risks and benefits of the use of controlled substances, including the risks of abuse and addiction, as well as physical dependence and its consequences, with the patient, persons designated by the patient, or the patient’s surrogate or guardian if the patient is incompetent. The registrant shall use a written controlled substance agreement between the registrant and the patient outlining the patient’s responsibilities, including, but not limited to:

1. Number and frequency of controlled substance prescriptions and refills.

2. Patient compliance and reasons for which drug therapy may be discontinued, such as a violation of the agreement.

3. An agreement that controlled substances for the treatment of chronic nonmalignant pain shall be prescribed by a single treating registrant unless otherwise authorized by the treating registrant and documented in the medical record.

(d) The patient shall be seen by the registrant at regular intervals, not to exceed 3 months, to assess the efficacy of treatment, ensure that controlled substance therapy remains indicated, evaluate the patient’s progress toward treatment objectives, consider adverse drug effects, and review the etiology of the pain. Continuation or modification of therapy shall depend on the registrant’s evaluation of the patient’s progress. If treatment goals are not being achieved, despite medication adjustments, the registrant shall reevaluate the appropriateness of continued treatment. The registrant shall monitor patient compliance in medication usage, related treatment plans, controlled substance agreements, and indications of substance abuse or diversion at a minimum of 3-month intervals.

(e) The registrant shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documentation and requires consultation with or referral to an addiction medicine specialist or a psychiatrist.

(f) A registrant must maintain accurate, current, and complete records that are accessible and readily available for review and comply with the requirements of this section, the applicable practice act, and applicable board rules. The medical records must include, but are not limited to:

1. The complete medical history and a physical examination, including history of drug abuse or dependence.
2. Diagnostic, therapeutic, and laboratory results.
3. Evaluations and consultations.
4. Treatment objectives.
5. Discussion of risks and benefits.
6. Treatments.
7. Medications, including date, type, dosage, and quantity prescribed.
8. Instructions and agreements.
9. Periodic reviews.
10. Results of any drug testing.
11. A photocopy of the patient’s government-issued photo identification.
12. If a written prescription for a controlled substance is given to the patient, a duplicate of the prescription.
13. The registrant’s full name presented in a legible manner.

(g) A registrant shall immediately refer patients with signs or symptoms of substance abuse to a board-certified pain management physician, an addiction medicine specialist, or a mental health addiction facility as it pertains to drug abuse or addiction unless the registrant is a physician who is board-certified or board-eligible in pain management. Throughout the period of time before receiving the consultant’s report, a prescribing registrant shall clearly and completely document medical justification for continued treatment with controlled substances and those steps taken to ensure medically appropriate use of controlled substances by the patient. Upon receipt of the consultant’s written report, the prescribing registrant shall incorporate the consultant’s recommendations for continuing, modifying, or discontinuing controlled



substance therapy. The resulting changes in treatment shall be specifically documented in the patient's medical record. Evidence or behavioral indications of diversion shall be followed by discontinuation of controlled substance therapy, and the patient shall be discharged, and all results of testing and actions taken by the registrant shall be documented in the patient's medical record.

This subsection does not apply to a board-eligible or board-certified anesthesiologist, psychiatrist, rheumatologist, or neurologist, or to a board-certified physician who has surgical privileges at a hospital or ambulatory surgery center and primarily provides surgical services. This subsection does not apply to a board-eligible or board-certified medical specialist who has also completed a fellowship in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, or who is board eligible or board certified in pain medicine by the American Board of Pain Medicine, the American Board of Interventional Pain Physicians, the American Association of Physician Specialists, or a board approved by the American Board of Medical Specialties or the American Osteopathic Association and performs interventional pain procedures of the type routinely billed using surgical codes. This subsection does not apply to a registrant who prescribes medically necessary controlled substances for a patient during an inpatient stay in a hospital licensed under chapter 395.

(4) **STANDARDS OF PRACTICE FOR TREATMENT OF ACUTE PAIN.**—*The applicable boards shall adopt rules establishing guidelines for prescribing controlled substances for acute pain, including evaluation of the patient, creation and maintenance of a treatment plan, obtaining informed consent and agreement for treatment, periodic review of the treatment plan, consultation, medical record review, and compliance with controlled substance laws and regulations. Failure of a prescriber to follow such guidelines constitutes grounds for disciplinary action pursuant to s. 456.072(1)(gg), punishable as provided in s. 456.072(2).*

(5) **PRESCRIPTION SUPPLY.**—

(a) *For the treatment of acute pain, a prescription for an opioid drug listed as a Schedule II controlled substance in s. 893.03 or 21 U.S.C. s. 812 may not exceed a 3-day supply, except that up to a 7-day supply may be prescribed if:*

1. *The prescriber, in his or her professional judgment, believes that more than a 3-day supply of such an opioid is medically necessary to treat the patient's pain as an acute medical condition;*

2. *The prescriber indicates "ACUTE PAIN EXCEPTION" on the prescription; and*

3. *The prescriber adequately documents in the patient's medical records the acute medical condition and lack of alternative treatment options that justify deviation from the 3-day supply limit established in this subsection.*

(b) *For the treatment of pain other than acute pain, a prescriber must indicate "NONACUTE PAIN" on a prescription for an opioid drug listed as a Schedule II controlled substance in s. 893.03 or 21 U.S.C. s. 812.*

(6) **EMERGENCY OPIOID ANTAGONIST.**—*For the treatment of pain related to a traumatic injury with an Injury Severity Score of 9 or greater, a prescriber who prescribes a Schedule II controlled substance listed in s. 893.03 or 21 U.S.C. s. 812 must concurrently prescribe an emergency opioid antagonist, as defined in s. 381.887(1).*

Section 4. Effective January 1, 2019, present subsections (2) through (5) of section 458.3265, Florida Statutes, are renumbered as subsections (3) through (6), respectively, paragraphs (a) and (g) of subsection (1), paragraph (a) of present subsection (2), paragraph (a) of present subsection (3), and paragraph (a) of present subsection (4) of that section are amended, and a new subsection (2) is added to that section, to read:

458.3265 Pain-management clinics.—

(1) **REGISTRATION.**—

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

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

b. "Chronic nonmalignant pain" means pain unrelated to cancer which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

c. "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department or hold a valid certificate of exemption pursuant to subsection (2).

3. *The following clinics are exempt from the registration requirement of paragraphs (c)-(m) and must apply to the department for a certificate of exemption unless:*

a. ~~A~~ ~~That~~ ~~clinic~~ ~~is~~ licensed as a facility pursuant to chapter 395;

b. A clinic in which the majority of the physicians who provide services in the clinic primarily provide surgical services;

c. ~~A~~ ~~The~~ ~~clinic~~ ~~is~~ owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;

d. ~~A~~ ~~The~~ ~~clinic~~ ~~is~~ affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. ~~A~~ ~~The~~ ~~clinic~~ ~~that~~ does not prescribe controlled substances for the treatment of pain;

f. ~~A~~ ~~The~~ ~~clinic~~ ~~is~~ owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. ~~A~~ ~~The~~ ~~clinic~~ ~~is~~ wholly owned and operated by one or more board-eligible or board-certified anesthesiologists, psychiatrists, rheumatologists, or neurologists; or

h. ~~A~~ ~~The~~ ~~clinic~~ ~~is~~ wholly owned and operated by a physician multi-specialty practice where one or more board-eligible or board-certified medical specialists, who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education or who are also board-certified in pain medicine by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the American Association of Physician Specialists, or the American Osteopathic Association, perform interventional pain procedures of the type routinely billed using surgical codes.

(g) The department may revoke the clinic's certificate of registration and prohibit all physicians associated with that pain-management clinic from practicing at that clinic location based upon an annual inspection and evaluation of the factors described in subsection (4) (3).

(2) **CERTIFICATE OF EXEMPTION.**—

(a) *A pain management clinic claiming an exemption from the registration requirements of subsection (1) must apply for a certificate of exemption on a form adopted in rule by the department. The form must require the applicant to provide:*

1. *The name or names under which the applicant does business.*

2. *The address at which the pain management clinic is located.*

3. *The specific exemption the applicant is claiming with supporting documentation.*

4. Any other information deemed necessary by the department.

(b) The department must approve or deny the certificate within 30 days after the receipt of a complete application.

(c) The certificate of exemption must be renewed biennially, except that the department may issue the initial certificates of exemption for up to 3 years in order to stagger renewal dates.

(d) A certificateholder must prominently display the certificate of exemption and make it available to the department or the board upon request.

(e) A new certificate of exemption is required for a change of address and is not transferable. A certificate of exemption is valid only for the applicant, qualifying owners, licenses, registrations, certifications, and services provided under a specific statutory exemption and is valid only to the specific exemption claimed and granted.

(f) A certificateholder must notify the department at least 60 days before any anticipated relocation or name change of the pain management clinic or a change of ownership.

(g) If a pain management clinic no longer qualifies for a certificate of exemption, the certificateholder must notify the department within 3 days after becoming aware that the clinic no longer qualifies for a certificate of exemption and register as a pain management clinic under subsection (1) or cease operations.

(3)(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities apply to any physician who provides professional services in a pain-management clinic that is required to be registered in subsection (1).

(a) A physician may not practice medicine in a pain-management clinic, as described in subsection (5) (4), if the pain-management clinic is not registered with the department as required by this section. Any physician who qualifies to practice medicine in a pain-management clinic pursuant to rules adopted by the Board of Medicine as of July 1, 2012, may continue to practice medicine in a pain-management clinic as long as the physician continues to meet the qualifications set forth in the board rules. A physician who violates this paragraph is subject to disciplinary action by his or her appropriate medical regulatory board.

(4)(3) INSPECTION.—

(a) The department shall inspect the pain-management clinic annually, including a review of the patient records, to ensure that it complies with this section and the rules of the Board of Medicine adopted pursuant to subsection (5) (4) unless the clinic is accredited by a nationally recognized accrediting agency approved by the Board of Medicine.

(5)(4) RULEMAKING.—

(a) The department shall adopt rules necessary to administer the registration, exemption, and inspection of pain-management clinics which establish the specific requirements, procedures, forms, and fees.

Section 5. Effective January 1, 2019, present subsections (2) through (5) of section 459.0137, Florida Statutes, are renumbered as subsections (3) through (6), respectively, paragraphs (a) and (g) of subsection (1), paragraph (a) of present subsection (2), paragraph (a) of present subsection (3), and paragraph (a) of present subsection (4) of that section are amended, and a new subsection (2) is added to that section, to read:

459.0137 Pain-management clinics.—

(1) REGISTRATION.—

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

a. “Board eligible” means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

b. “Chronic nonmalignant pain” means pain unrelated to cancer which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

c. “Pain-management clinic” or “clinic” means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department or hold a valid certificate of exemption pursuant to subsection (2).

3. The following clinics are exempt from the registration requirement of paragraphs (c)-(m) and must apply to the department for a certificate of exemption unless:

a. A ~~that~~ clinic is licensed as a facility pursuant to chapter 395;

b. A clinic in which the majority of the physicians who provide services in the clinic primarily provide surgical services;

c. A ~~the~~ clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation’s most recent fiscal quarter exceeded \$50 million;

d. A ~~the~~ clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. A ~~the~~ clinic that does not prescribe controlled substances for the treatment of pain;

f. A ~~the~~ clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. A ~~the~~ clinic is wholly owned and operated by one or more board-eligible or board-certified anesthesiologists, physiatrists, rheumatologists, or neurologists; or

h. A ~~the~~ clinic is wholly owned and operated by a physician multi-specialty practice where one or more board-eligible or board-certified medical specialists, who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or who are also board-certified in pain medicine by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the American Association of Physician Specialists, or the American Osteopathic Association, perform interventional pain procedures of the type routinely billed using surgical codes.

(g) The department may revoke the clinic’s certificate of registration and prohibit all physicians associated with that pain-management clinic from practicing at that clinic location based upon an annual inspection and evaluation of the factors described in subsection (4) (3).

(2) CERTIFICATE OF EXEMPTION.—

(a) A pain management clinic claiming an exemption from the registration requirements of subsection (1) must apply for a certificate of exemption on a form adopted in rule by the department. The form must require the applicant to provide:

1. The name or names under which the applicant does business.

2. The address at which the pain management clinic is located.

3. The specific exemption the applicant is claiming with supporting documentation.

4. Any other information deemed necessary by the department.

(b) The department must approve or deny the certificate within 30 days after the receipt of a complete application.

(c) *The certificate of exemption must be renewed biennially, except that the department may issue the initial certificates of exemption for up to 3 years in order to stagger renewal dates.*

(d) *A certificateholder must prominently display the certificate of exemption and make it available to the department or the board upon request.*

(e) *A new certificate of exemption is required for a change of address and is not transferable. A certificate of exemption is valid only for the applicant, qualifying owners, licenses, registrations, certifications, and services provided under a specific statutory exemption and is valid only to the specific exemption claimed and granted.*

(f) *A certificateholder must notify the department at least 60 days before any anticipated relocation or name change of the pain management clinic or a change of ownership.*

(g) *If a pain management clinic no longer qualifies for a certificate of exemption, the certificateholder must notify the department within 3 days after becoming aware that the clinic no longer qualifies for a certificate of exemption and register as a pain management clinic under subsection (1) or cease operations.*

(3)(2) **PHYSICIAN RESPONSIBILITIES.**—These responsibilities apply to any osteopathic physician who provides professional services in a pain-management clinic that is required to be registered in subsection (1).

(a) An osteopathic physician may not practice medicine in a pain-management clinic, as described in subsection (5) (4), if the pain-management clinic is not registered with the department as required by this section. Any physician who qualifies to practice medicine in a pain-management clinic pursuant to rules adopted by the Board of Osteopathic Medicine as of July 1, 2012, may continue to practice medicine in a pain-management clinic as long as the physician continues to meet the qualifications set forth in the board rules. An osteopathic physician who violates this paragraph is subject to disciplinary action by his or her appropriate medical regulatory board.

(4)(3) **INSPECTION.**—

(a) The department shall inspect the pain-management clinic annually, including a review of the patient records, to ensure that it complies with this section and the rules of the Board of Osteopathic Medicine adopted pursuant to subsection (5) (4) unless the clinic is accredited by a nationally recognized accrediting agency approved by the Board of Osteopathic Medicine.

(5)(4) **RULEMAKING.**—

(a) The department shall adopt rules necessary to administer the registration, exemption, and inspection of pain-management clinics which establish the specific requirements, procedures, forms, and fees.

Section 6. Section 465.0155, Florida Statutes, is amended to read:

465.0155 Standards of practice.—

(1) Consistent with the provisions of this act, the board shall adopt by rule standards of practice relating to the practice of pharmacy which shall be binding on every state agency and shall be applied by such agencies when enforcing or implementing any authority granted by any applicable statute, rule, or regulation, whether federal or state.

(2)(a) *Before dispensing a controlled substance to a person not known to the pharmacist, the pharmacist must require the person purchasing, receiving, or otherwise acquiring the controlled substance to present valid photographic identification or other verification of his or her identity. If the person does not have proper identification, the pharmacist may verify the validity of the prescription and the identity of the patient with the prescriber or his or her authorized agent. Verification of health plan eligibility through a real-time inquiry or adjudication system is considered to be proper identification.*

(b) *This subsection does not apply in an institutional setting or to a long-term care facility, including, but not limited to, an assisted living facility or a hospital to which patients are admitted.*

(c) *As used in this subsection, the term “proper identification” means an identification that is issued by a state or the Federal Government containing the person’s photograph, printed name, and signature or a document considered acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).*

Section 7. Paragraph (b) of subsection (1) of section 465.0276, Florida Statutes, is amended, and paragraph (d) is added to subsection (2) of that section, to read:

465.0276 Dispensing practitioner.—

(1)

(b) A practitioner registered under this section may not dispense a controlled substance listed in Schedule II or Schedule III as provided in s. 893.03. This paragraph does not apply to:

1. The dispensing of complimentary packages of medicinal drugs which are labeled as a drug sample or complimentary drug as defined in s. 499.028 to the practitioner’s own patients in the regular course of her or his practice without the payment of a fee or remuneration of any kind, whether direct or indirect, as provided in subsection (4).

2. The dispensing of controlled substances in the health care system of the Department of Corrections.

3. The dispensing of a controlled substance listed in Schedule II or Schedule III in connection with the performance of a surgical procedure.

a. *For an opioid drug listed as a Schedule II controlled substance in s. 893.03 or 21 U.S.C. s. 812:*

(I) *For the treatment of acute pain, the amount dispensed pursuant to this subparagraph may not exceed a 3-day supply, or a 7-day supply if the criteria in s. 456.44(5)(a) are met.*

(II) *For the treatment of pain other than acute pain, a practitioner must indicate “NONACUTE PAIN” on a prescription.*

(III) *For the treatment of pain related to a traumatic injury with an Injury Severity Score of 9 or greater, a practitioner must concurrently prescribe an emergency opioid antagonist, as defined in s. 381.887(1).*

b. *For a controlled substance listed in Schedule III, the amount dispensed pursuant to this the subparagraph may not exceed a 14-day supply.*

c. *The exception in this subparagraph ~~exception~~ does not allow for the dispensing of a controlled substance listed in Schedule II or Schedule III more than 14 days after the performance of the surgical procedure.*

d. For purposes of this subparagraph, the term “surgical procedure” means any procedure in any setting which involves, or reasonably should involve:

(I)~~a.~~ *Perioperative medication and sedation that allows the patient to tolerate unpleasant procedures while maintaining adequate cardiorespiratory function and the ability to respond purposefully to verbal or tactile stimulation and makes intra- and postoperative monitoring necessary; or*

(II)~~b.~~ *The use of general anesthesia or major conduction anesthesia and preoperative sedation.*

4. The dispensing of a controlled substance listed in Schedule II or Schedule III pursuant to an approved clinical trial. For purposes of this subparagraph, the term “approved clinical trial” means a clinical research study or clinical investigation that, in whole or in part, is state or federally funded or is conducted under an investigational new drug application that is reviewed by the United States Food and Drug Administration.

5. The dispensing of methadone in a facility licensed under s. 397.427 where medication-assisted treatment for opiate addiction is provided.

6. The dispensing of a controlled substance listed in Schedule II or Schedule III to a patient of a facility licensed under part IV of chapter 400.

7. *The dispensing of controlled substances listed in Schedule II or Schedule III which have been approved by the United States Food and Drug Administration for the purpose of treating opiate addictions, including, but not limited to, buprenorphine and buprenorphine combination products, by a practitioner authorized under 21 U.S.C. s. 823, as amended, to the practitioner's own patients for the medication-assisted treatment of opiate addiction.*

(2) A practitioner who dispenses medicinal drugs for human consumption for fee or remuneration of any kind, whether direct or indirect, must:

(d)1. *Before dispensing a controlled substance to a person not known to the dispenser, require the person purchasing, receiving, or otherwise acquiring the controlled substance to present valid photographic identification or other verification of his or her identity. If the person does not have proper identification, the dispenser may verify the validity of the prescription and the identity of the patient with the prescriber or his or her authorized agent. Verification of health plan eligibility through a real-time inquiry or adjudication system is considered to be proper identification.*

2. *This paragraph does not apply in an institutional setting or to a long-term care facility, including, but not limited to, an assisted living facility or a hospital to which patients are admitted.*

3. *As used in this paragraph, the term "proper identification" means an identification that is issued by a state or the Federal Government containing the person's photograph, printed name, and signature or a document considered acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).*

And the title is amended as follows:

Remove lines 3869-3935 of the amendment and insert: An act relating to controlled substances; creating s. 456.0301, F.S.; requiring certain boards to require certain registered practitioners to complete a specified board-approved continuing education course to obtain authorization to prescribe controlled substances as part of biennial license renewal and before a specified date; providing course requirements; providing that the course may be offered in a distance learning format and requiring that it be included within required continuing education hours; prohibiting the Department of Health from renewing the license of a prescriber under specified circumstances; specifying a deadline for course completion; providing an exception from the course requirements for certain licensees; requiring such licensees to submit confirmation of course completion; authorizing certain boards to adopt rules; amending s. 456.072, F.S.; authorizing disciplinary action against practitioners for violating specified provisions relating to controlled substances; amending s. 456.44, F.S.; defining the term "acute pain"; requiring the applicable boards to adopt rules establishing certain guidelines for prescribing controlled substances for acute pain; providing that the failure of a prescriber to follow specified guidelines is grounds for disciplinary action; limiting opioid drug prescriptions for the treatment of acute pain to a specified period under certain circumstances; authorizing such prescriptions for an extended period if specified requirements are met; requiring a prescriber who prescribes an opioid drug for the treatment of pain other than acute pain to include a specific indication on the prescription; requiring a prescriber who prescribes an opioid drug for the treatment of pain related to a traumatic injury with a specified Injury Severity Score to concurrently prescribe an emergency opioid antagonist; amending ss. 458.3265 and 459.0137, F.S.; requiring pain management clinics to register with the department or hold a valid certificate of exemption; requiring certain clinics to apply to the department for a certificate of exemption; providing requirements for such certificates; requiring the department to adopt rules necessary to administer such exemptions; amending s. 465.0155, F.S.; providing requirements for pharmacists for the dispensing of controlled substances to persons not known to them; defining the term "proper identification"; amending s. 465.0276, F.S.; prohibiting the dispensing of certain controlled substances in an amount that exceeds a 3-day supply unless certain criteria are met; providing an exception for the dispensing of certain controlled substances by a practitioner to the practitioner's own patients for the medication-assisted treatment of opiate addiction;

providing requirements for practitioners for the dispensing of controlled substances to persons not known to them; defining the term "proper identification"; amending s. 893.03, F.S.;

**House Amendment 2 (165513) (with title amendment)**—Remove lines 2264-2641 of the amendment and insert:

(b) *An employee of the United States Department of Veterans Affairs, the United States Department of Defense, or the Indian Health Service who provides health care services pursuant to such employment and who has the authority to prescribe or dispense controlled substances shall have access to the information in the program's system upon verification of employment.*

(c) *The program manager or designated program and support staff to administer the system.*

1. *In order to calculate performance measures pursuant to subsection (14), the program manager or program and support staff members who have been directed by the program manager to calculate performance measures may have direct access to information that contains no identifying information of any patient, physician, health care practitioner, prescriber, or dispenser.*

2. *The program manager or designated program and support staff must provide the department, upon request, data that does not contain patient, physician, health care practitioner, prescriber, or dispenser identifying information for public health care and safety initiatives purposes.*

3. *The program manager, upon determining a pattern consistent with the department's rules established under subsection (16), may provide relevant information to the prescriber and dispenser.*

4. *The program manager, upon determining a pattern consistent with the rules established under subsection (16) and having cause to believe a violation of s. 893.13(7)(a)8., (8)(a), or (8)(b) has occurred, may provide relevant information to the applicable law enforcement agency.*

*The program manager and designated program and support staff must complete a level II background screening.*

(5) *The following entities may not directly access information in the system, but may request information from the program manager or designated program and support staff:*

(a) *The department and its health care regulatory boards, as appropriate, for investigations involving licensees authorized to prescribe or dispense controlled substances.*

(b) *The Attorney General for Medicaid fraud cases involving prescribed controlled substances.*

(c) *A law enforcement agency during active investigations of potential criminal activity, fraud, or theft regarding prescribed controlled substances.*

(d) *A medical examiner when conducting an authorized investigation under s. 406.11, to determine the cause of death of an individual.*

(e) *An impaired practitioner consultant who is retained by the department under s. 456.076 to review the system information of an impaired practitioner program participant or a referral who has agreed to be evaluated or monitored through the program and who has separately agreed in writing to the consultant's access to and review of such information.*

(f) *A patient or the legal guardian or designated health care surrogate of an incapacitated patient who submits a written and notarized request that includes the patient's full name, address, phone number, date of birth, and a copy of a government-issued photo identification.*

(6) *The department may enter into one or more reciprocal agreements or contracts to share prescription drug monitoring information with other states, districts, or territories if the prescription drug monitoring programs of such other states, districts, or territories are compatible with the Florida program.*

(a) *In determining compatibility, the department shall consider:*

1. The safeguards for privacy of patient records and the success of the program in protecting patient privacy.

2. The persons authorized to view the data collected by the program. Comparable entities and licensed health care practitioners in other states, districts, or territories of the United States, law enforcement agencies, the Attorney General's Medicaid Fraud Control Unit, medical regulatory boards, and, as needed, management staff that have similar duties as management staff who work with the prescription drug monitoring program as authorized in s. 893.0551 are authorized access upon approval by the department.

3. The schedules of the controlled substances that are monitored by the program.

4. The data reported to or included in the program's system.

5. Any implementing criteria deemed essential for a thorough comparison.

6. The costs and benefits to the state of sharing prescription information.

(b) The department shall assess the prescription drug monitoring program's continued compatibility with other states', districts', or territories' programs every 4 years.

(c) Any agreements or contracts for sharing of prescription drug monitoring information between the department and other states, districts, or territories shall contain the same restrictions and requirements as this section or s. 893.0551, and the information must be provided according to the department's determination of compatibility.

(7) The department may enter into agreements or contracts to establish secure connections between the system and a prescribing or dispensing health care practitioner's electronic health recordkeeping system. The electronic health recordkeeping system owner or license holder will be responsible for ensuring that only authorized individuals have access to prescription drug monitoring program information.

(8) A prescriber or dispenser or a designee of a prescriber or dispenser must consult the system to review a patient's controlled substance dispensing history before prescribing or dispensing a controlled substance for a patient age 16 or older. This requirement does not apply when prescribing or dispensing a nonopioid controlled substance listed in Schedule V of s. 893.03 or 21 U.S.C. 812. For purposes of this subsection, a "nonopioid controlled substance" is a controlled substance that does not contain any amount of a substance listed as an opioid in s. 893.03 or 21 U.S.C. 812.

(a) The duty to consult the system does not apply when the system:

1. Is determined by the department to be nonoperational; or
2. Cannot be accessed by the prescriber or dispenser or a designee of the prescriber or dispenser because of a temporary technological or electrical failure.

(b) A prescriber or dispenser or designee of a prescriber or dispenser who does not consult the system under this subsection shall document the reason he or she did not consult the system in the patient's medical record or prescription record and shall not prescribe or dispense greater than a 3-day supply of a controlled substance to the patient.

(c) The department shall issue a nondisciplinary citation to any prescriber or dispenser who fails to consult the system as required by this subsection for an initial offense. Each subsequent offense is subject to disciplinary action pursuant to s. 456.073.

(9) A person who willfully and knowingly fails to report the dispensing of a controlled substance as required by this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(10) Information in the prescription drug monitoring program's system may be released only as provided in this section and s. 893.0551. The content of the system is intended to be informational only. Information in the system is not subject to discovery or introduction into evidence in any civil or administrative action against a prescriber, dis-

penser, pharmacy, or patient arising out of matters that are the subject of information in the system. The program manager and authorized persons who participate in preparing, reviewing, issuing, or any other activity related to management of the system may not be permitted or required to testify in any such civil or administrative action as to any findings, recommendations, evaluations, opinions, or other actions taken in connection with management of the system.

(11) A prescriber or dispenser, or his or her designee, may have access to the information under this section which relates to a patient of that prescriber or dispenser as needed for the purpose of reviewing the patient's controlled drug prescription history. A prescriber or dispenser acting in good faith is immune from any civil, criminal, or administrative liability that might otherwise be incurred or imposed for receiving or using information from the prescription drug monitoring program. This subsection does not create a private cause of action, and a person may not recover damages against a prescriber or dispenser authorized to access information under this subsection for accessing or failing to access such information.

(12)(a) All costs incurred by the department in administering the prescription drug monitoring program shall be funded through federal grants, private funding applied for or received by the state, or state funds appropriated in the General Appropriations Act. The department may not:

1. Commit funds for the monitoring program without ensuring funding is available; or
2. Use funds provided, directly or indirectly, by prescription drug manufacturers to implement the program.

(b) The department shall cooperate with the direct-support organization established under subsection (15) in seeking federal grant funds, other nonstate grant funds, gifts, donations, or other private moneys for the department if the costs of doing so are immaterial. Immaterial costs include, but are not limited to, the costs of mailing and personnel assigned to research or apply for a grant. The department may competitively procure and contract pursuant to s. 287.057 for any goods and services required by this section.

(13) The department shall conduct or participate in studies to examine the feasibility of enhancing the prescription drug monitoring program for the purposes of public health initiatives and statistical reporting. Such studies shall respect the privacy of the patient, the prescriber, and the dispenser. Such studies may be conducted by the department or a contracted vendor in order to:

- (a) Improve the quality of health care services and safety by improving prescribing and dispensing practices for controlled substances;
- (b) Take advantage of advances in technology;
- (c) Reduce duplicative prescriptions and the overprescribing of controlled substances; and
- (d) Reduce drug abuse.

(14) The department shall annually report on performance measures to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1. Performance measures may include, but are not limited to, the following outcomes:

- (a) Reduction of the rate of inappropriate use of controlled substances through department education and safety efforts.
- (b) Reduction of the quantity of controlled substances obtained by individuals attempting to engage in fraud and deceit.
- (c) Increased coordination among partners participating in the prescription drug monitoring program.
- (d) Involvement of stakeholders in achieving improved patient health care and safety and reduction of controlled substance abuse and controlled substance diversion.

(15) The department may establish a direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program.

(a) As used in this subsection, the term “direct-support organization” means an organization that is:

1. A Florida corporation not for profit incorporated under chapter 617, exempted from filing fees, and approved by the Department of State.

2. Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, and invest, in its own name, securities, funds, objects of value, or other property, either real or personal; and make expenditures or provide funding to or for the direct or indirect benefit of the department in the furtherance of the prescription drug monitoring program.

(b) The State Surgeon General shall appoint a board of directors for the direct-support organization.

1. The board of directors shall consist of no fewer than five members who shall serve at the pleasure of the State Surgeon General.

2. The State Surgeon General shall provide guidance to members of the board to ensure that moneys received by the direct-support organization are not received from inappropriate sources. Inappropriate sources include, but are not limited to, donors, grantors, persons, prescription drug manufacturers, or organizations that may monetarily or substantively benefit from the purchase of goods or services by the department in furtherance of the prescription drug monitoring program.

(c) The direct-support organization shall operate under written contract with the department. The contract must, at a minimum, provide for:

1. Approval of the articles of incorporation and bylaws of the direct-support organization by the department.

2. Submission of an annual budget for the approval of the department.

3. The reversion, without penalty, to the department’s grants and donations trust fund for the administration of the prescription drug monitoring program of all moneys and property held in trust by the direct-support organization for the benefit of the prescription drug monitoring program if the direct-support organization ceases to exist or if the contract is terminated.

4. The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.

5. The disclosure of the material provisions of the contract to donors of gifts, contributions, or bequests, including such disclosure on all promotional and fundraising publications, and an explanation to such donors of the distinction between the department and the direct-support organization.

6. The direct-support organization’s collecting, expending, and providing of funds to the department for the development, implementation, and operation of the prescription drug monitoring program as described in this section. The direct-support organization may collect and expend funds to be used for the functions of the direct-support organization’s board of directors, as necessary and approved by the department. In addition, the direct-support organization may collect and provide funding to the department in furtherance of the prescription drug monitoring program by:

a. Establishing and administering the prescription drug monitoring program’s electronic system, including hardware and software.

b. Conducting studies on the efficiency and effectiveness of the program to include feasibility studies as described in subsection (13).

c. Providing funds for future enhancements of the program within the intent of this section.

d. Providing user training of the prescription drug monitoring program, including distribution of materials to promote public awareness and education and conducting workshops or other meetings for health care practitioners, pharmacists, and others as appropriate.

e. Providing funds for travel expenses.

f. Providing funds for administrative costs, including personnel, audits, facilities, and equipment.

g. Fulfilling all other requirements necessary to implement and operate the program as outlined in this section.

7. Certification by the department that the direct-support organization is complying with the terms of the contract in a manner consistent with and in furtherance of the goals and purposes of the prescription drug monitoring program and in the best interests of the state. Such certification must be made annually and reported in the official minutes of a meeting of the direct-support organization.

(d) The activities of the direct-support organization must be consistent with the goals and mission of the department, as determined by the department, and in the best interests of the state. The direct-support organization must obtain written approval from the department for any activities in support of the prescription drug monitoring program before undertaking those activities.

(e) The direct-support organization shall provide for an independent annual financial audit in accordance with s. 215.981. Copies of the audit shall be provided to the department and the Office of Policy and Budget in the Executive Office of the Governor.

(f) The direct-support organization may not exercise any power under s. 617.0302(12) or (16).

(g) The direct-support organization is not considered a lobbying firm within the meaning of s. 11.045.

(h) The department may permit, without charge, appropriate use of administrative services, property, and facilities of the department by the direct-support organization, subject to this section. The use must be directly in keeping with the approved purposes of the direct-support organization and may not be made at times or places that would unreasonably interfere with opportunities for the public to use such facilities for established purposes. Any moneys received from rentals of facilities and properties managed by the department may be held in a separate depository account in the name of the direct-support organization and subject to the provisions of the letter of agreement with the department. The letter of agreement must provide that any funds held in the separate depository account in the name of the direct-support organization must revert to the department if the direct-support organization is no longer approved by the department to operate in the best interests of the state.

(i) The department may adopt rules under s. 120.54 to govern the use of administrative services, property, or facilities of the department or office by the direct-support organization.

(j) The department may not permit the use of any administrative services, property, or facilities of the state by a direct-support organization if that organization does not provide equal membership and employment opportunities to all persons regardless of race, color, religion, gender, age, or national origin.

(k) This subsection is repealed October 1, 2027, unless reviewed and saved from repeal by the Legislature.

(16) The department shall adopt rules necessary to implement this section.

Section 13. Section 893.0551, Florida Statutes, is amended to read:

893.0551 Public records exemption for the prescription drug monitoring program.—

(1) For purposes of this section, the terms used in this section have the same meanings as provided in s. 893.055.

(2) The following information of a patient or patient’s agent, a health care practitioner, a dispenser, an employee of the practitioner who is acting on behalf of and at the direction of the practitioner, a pharmacist, or a pharmacy that is contained in records held by the department under s. 893.055 is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

- (a) Name.
- (b) Address.
- (c) Telephone number.
- (d) Insurance plan number.
- (e) Government-issued identification number.
- (f) Provider number.
- (g) Drug Enforcement Administration number.
- (h) Any other unique identifying information or number.

(3) The department shall disclose such ~~confidential and exempt~~ information to the following persons or entities upon request and after using a verification process to ensure the legitimacy of the request as provided in s. 893.055:

(a) A health care practitioner, or his or her designee, who certifies that the information is necessary to provide medical treatment to a current patient in accordance with ss. 893.04, 893.05, and 893.055.

(b) An employee of the United States Department of Veterans Affairs, the United States Department of Defense, or the Indian Health Service who provides health care services pursuant to such employment and who has the authority to prescribe or dispense controlled substances shall have access to the information in the program's system upon verification of such employment.

And the title is amended as follows:

Remove lines 3965-3966 of the amendment and insert: system; providing a system for discipline of specified persons for failing to meet such requirements; prohibiting a

**House Amendment 3 (985559)**—Remove lines 3818-3860 of the amendment and insert:

Section 22. For the 2018-2019 fiscal year:

(1) The nonrecurring sum of \$27,035,532 is appropriated from the Federal Grants Trust Fund to the Department of Children and Families for expenditure of funds related to the second year of the State Targeted Response to the Opioid Crisis grant, to increase access to treatment, reduce unmet treatment needs, and reduce opioid overdose-related deaths through prevention, treatment, and recovery activities.

(2) To enhance the entire substance abuse continuum of care, the sum of \$14,626,911 in recurring funds is appropriated from the General Revenue Fund to the Department of Children and Families for community-based services to address the opioid crisis, including, but not limited to, outreach, addiction treatment, and recovery support services. Funding under this subsection shall be used to expand capacity to increase access to and reduce waitlists for treatment; increase efforts to effectively engage and retain in treatment youth, pregnant women, high-risk populations, and high utilizers of acute care services; and further develop a recovery-based model of care. Funding for specific services may include, but are not limited to, case management, residential services, outpatient services, aftercare services, and medication-assisted treatment. Medication-assisted treatment may include, but is not limited to, methadone, buprenorphine, and naltrexone extended release injectable.

(3) The recurring sum of \$5,000,000 from the General Revenue Fund is appropriated to the Department of Health for the purchase of emergency opioid antagonists to be made available to emergency responders.

(4) The recurring sum of \$6 million from the General Revenue Fund is appropriated to the Office of State Court Administrator for medication-assisted treatment of substance abuse disorders in individuals involved in the criminal justice system, individuals who have a high likelihood of becoming involved in the criminal justice system, or individuals who are in court-ordered, community-based drug treatment. Such medication-assisted treatment may include, but is not limited to, methadone, buprenorphine, and naltrexone extended release injectable.

(5) The sums of \$873,089 in recurring funds and \$117,700 in non-recurring funds are appropriated from the General Revenue Fund to the Department of Health for improvements to the Prescription Drug Monitoring Program system pursuant to s. 893.055, Florida Statutes.

On motion by Senator Benacquisto, the Senate concurred in **House Amendment 1 (829389)**, **House Amendment 2 (165513)**, and **House Amendment 3 (985559)** to **Senate Amendment 1 (872398)**.

**CS for CS for HB 21** passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 1552, with amendment(s), and requests the concurrence of the Senate.

Portia Palmer, Clerk

**CS for SB 1552**—A bill to be entitled An act relating to juvenile justice; amending s. 320.08058, F.S.; allowing the Department of Highway Safety and Motor Vehicles to distribute proceeds from the Invest in Children license plate annual use fee on a statewide basis; amending s. 985.03, F.S.; replacing the term "nonsecure detention" with the term "supervised release detention"; defining the term "supervised release detention"; amending ss. 985.037, 985.039, and 985.101, F.S.; conforming provisions to changes made by the act; amending s. 985.24, F.S.; deleting provisions authorizing the Department of Juvenile Justice to develop evening reporting centers; conforming provisions to changes made by the act; amending s. 985.245, F.S.; revising risk assessment instrument considerations; conforming provisions to changes made by the act; amending s. 985.25, F.S.; deleting a provision requiring mandatory detention for children taken into custody on three or more separate occasions within a 60-day period; amending s. 985.255, F.S.; revising the circumstances under which a continued detention status may be ordered; amending s. 985.26, F.S.; requiring the department to hold a prolific juvenile offender in secure detention pending a detention hearing following a violation of nonsecure detention; amending s. 985.26, F.S.; revising the definition of the term "disposition"; conforming provisions to changes made by the act; amending ss. 985.265 and 985.35, F.S.; conforming provisions to changes made by the act; amending s. 985.439, F.S.; deleting an authorization for placement of a child in a consequence unit in certain circumstances; allowing a child who violates conditions of probation to be detained or released based on the results of the detention risk assessment instrument; conforming provisions to changes made by the act; amending s. 985.557, F.S.; increasing the age of a child at which a state attorney may file an information against the child for prosecution as an adult; amending s. 985.601, F.S.; conforming provisions to changes made by the act; amending s. 985.672, F.S.; requiring the board of directors of the department's direct-support organization to be appointed according to the organization's bylaws; deleting the scheduled repeal of provisions governing the direct-support organization established by the department; providing effective dates.

**House Amendment 1 (516173) (with title amendment)**—Remove lines 461-502

And the title is amended as follows:

Remove lines 36-39 and insert: provisions to changes made by the act; amending s.

On motion by Senator Bracy, the Senate concurred in **House Amendment 1 (516173)**.

**CS for SB 1552** passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1392, with amendment(s), and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

**CS for CS for SB 1392**—A bill to be entitled An act relating to prearrest diversion programs; creating s. 901.40, F.S.; providing legislative findings and intent; encouraging counties, municipalities, and public or private educational institutions to implement prearrest diversion programs; requiring that in each judicial circuit the public defender, the state attorney, the clerks of the court, and representatives of participating law enforcement agencies create a prearrest diversion program and develop its policies and procedures; authorizing such entities to solicit stakeholders for input in developing the program's policies and procedures; providing requirements for the prearrest diversion program; requiring the state attorney of each circuit to operate the prearrest diversion program; providing an exception; providing construction; requiring the arresting law enforcement officer to make a determination if an adult does not successfully complete the prearrest diversion program; requiring the state attorney or the person operating an independent prearrest diversion program to electronically provide certain information to the clerk of the court; requiring the clerk of the court to maintain the confidentiality of such information; requiring the clerk of the court to maintain that information in a statewide database; amending s. 943.0582, F.S.; requiring, rather than authorizing, the Department of Law Enforcement to adopt rules for the expunction of certain nonjudicial records of the arrest of a minor upon his or her successful completion of a certain diversion program; authorizing such expunctions for certain first-time misdemeanor offenses; defining and revising terms; revising the circumstances under which the department must expunge certain nonjudicial arrest records; deleting the department's authority to charge a processing fee for the expunction; amending s. 985.12, F.S.; providing legislative findings and intent; deleting provisions establishing a juvenile civil citation process with a certain purpose; establishing a civil citation or similar prearrest diversion program in each judicial circuit, rather than at the local level, with the concurrence of specified persons; requiring that the state attorney and public defender of each circuit, the clerk of the court for each county in the circuit, and representatives of participating law enforcement agencies create a civil citation or similar prearrest diversion program and develop its policies and procedures; authorizing such entities to solicit stakeholders for input in developing the program's po-

licies and procedures; requiring the Department of Juvenile Justice to annually develop and provide guidelines on civil citation or similar prearrest diversion programs to the judicial circuits; providing requirements for the civil citation or similar prearrest diversion program; requiring the state attorney of each judicial circuit to operate the civil citation or similar prearrest diversion program; providing an exception; providing construction; requiring the arresting law enforcement officer to make a determination if a juvenile does not successfully complete the civil citation or similar prearrest diversion program; deleting provisions relating to the operation of and requirements for a civil citation or similar prearrest diversion program; requiring that a copy of each civil citation or similar prearrest diversion program notice be provided to the Department of Juvenile Justice; conforming provisions to changes made by the act; deleting provisions relating to requirements for a civil citation or similar prearrest diversion program; amending s. 985.125, F.S.; conforming a provision to changes made by the act; creating s. 985.126, F.S.; defining the term "diversion program"; requiring a diversion program to submit to the Department of Law Enforcement a certification for expunction of the nonjudicial arrest record of a juvenile under specified circumstances; requiring a diversion program to submit to the Department of Juvenile Justice specified data relating to diversion programs; requiring each law enforcement agency to submit to the Department of Juvenile Justice specified data about juveniles eligible to participate in diversion programs; requiring the Department of Juvenile Justice to compile and publish the data in a specified manner; authorizing a juvenile under certain circumstances to deny or fail to acknowledge his or her participation in a diversion program or the expunction of a certain nonjudicial arrest record unless an exception applies; providing an effective date.

**House Amendment 1 (299739) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Subsection (5) of section 20.315, Florida Statutes, is amended to read:

20.315 Department of Corrections.—There is created a Department of Corrections.

(5) ANNUAL REPORTING.—The department shall report annually to the Governor, the President of the Senate, and the Speaker of the House of Representatives recounting its activities and making recommendations for improvements to the performance of the department. *The annual report shall include information published under s. 945.041.*

Section 2. Section 900.05, Florida Statutes, is created to read:

900.05 *Criminal justice data collection.*—

(1) **LEGISLATIVE FINDINGS AND INTENT.**—*It is the intent of the Legislature to create a model of uniform criminal justice data collection by requiring local and state criminal justice agencies to report complete, accurate, and timely data, and making such data available to the public. The Legislature finds that it is an important state interest to implement a uniform data collection process and promote criminal justice data transparency.*

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

(a) *“Annual felony caseload” means the yearly caseload of each full-time state attorney and assistant state attorney or public defender and assistant public defender for cases assigned to the circuit criminal division, based on the number of felony cases reported to the Supreme Court under s. 25.075. The term does not include the appellate caseload of a public defender or assistant public defender. Cases reported pursuant to this term must be associated with a case number and each case number must only be reported once regardless of the number of attorney assignments that occur during the course of litigation.*

(b) *“Annual misdemeanor caseload” means the yearly caseload of each full-time state attorney and assistant state attorney or public defender and assistant public defender for cases assigned to the county criminal division, based on the number of misdemeanor cases reported to the Supreme Court under s. 25.075. The term does not include the appellate caseload of a public defender or assistant public defender. Cases reported pursuant to this term must be associated with a case number and each case number must only be reported once regardless of the number of attorney assignments that occur during the course of litigation.*



(c) “Attorney assignment date” means the date a court-appointed attorney is assigned to the case or, if privately retained, the date an attorney files a notice of appearance with the clerk of court.

(d) “Attorney withdrawal date” means the date the court removes court-appointed counsel from a case or, for a privately retained attorney, the date a motion to withdraw is granted by the court.

(e) “Case number” means the identification number assigned by the clerk of court to a criminal case.

(f) “Case status” means whether a case is open, inactive, closed, or reopened due to a violation of probation or community control.

(g) “Charge description” means the statement of the conduct that is alleged to have been violated, the associated statutory section establishing such conduct as criminal, and the misdemeanor or felony classification that is provided for in the statutory section alleged to have been violated.

(h) “Charge modifier” means an aggravating circumstance of an alleged crime that enhances or reclassifies a charge to a more serious misdemeanor or felony offense level.

(i) “Concurrent or consecutive sentence flag” means an indication that a defendant is serving another sentence concurrently or consecutively in addition to the sentence for which data is being reported.

(j) “Daily number of correctional officers” means the number of full-time, part-time, and auxiliary correctional officers who are actively providing supervision, protection, care, custody, and control of inmates in a county detention facility or state correctional institution or facility each day.

(k) “Defense attorney type” means whether the attorney is a public defender, regional conflict counsel, or other counsel court-appointed for the defendant; the attorney is privately retained by the defendant; or the defendant is represented pro se.

(l) “Deferred prosecution or pretrial diversion agreement date” means the date a contract is signed by the parties regarding a defendant’s admission into a deferred prosecution or pretrial diversion program.

(m) “Deferred prosecution or pretrial diversion hearing date” means each date that a hearing, including a status hearing, is held on a case that is in a deferred prosecution or pretrial diversion program, if applicable.

(n) “Disciplinary violation and action” means any conduct performed by an inmate in violation of the rules of a county detention facility or state correctional institution or facility that results in the initiation of disciplinary proceedings by the custodial entity and the consequences of such disciplinary proceedings.

(o) “Disposition date” means the date of final judgment, adjudication, adjudication withheld, dismissal, or nolle prosequi for the case and if different dates apply, the disposition dates of each charge.

(p) “Domestic violence flag” means an indication that a charge involves domestic violence as defined in s. 741.28.

(q) “Gang affiliation flag” means an indication that a defendant is involved in or associated with a criminal gang as defined in s. 874.03.

(r) “Gain-time credit earned” means a credit of time awarded to an inmate in a county detention facility in accordance with s. 951.22 or a state correctional institution or facility in accordance with s. 944.275.

(s) “Habitual offender flag” means an indication that a defendant is a habitual felony offender as defined in s. 775.084 or a habitual misdemeanor offender as defined in s. 775.0837.

(t) “Judicial transfer date” means a date on which a defendant’s case is transferred to another court or presiding judge.

(u) “Number of contract attorneys representing indigent defendants for the office of the public defender” means the number of attorneys hired on a temporary basis, by contract, to represent indigent clients who were appointed a public defender.

(v) “Pretrial release violation flag” means an indication that the defendant has violated the terms of his or her pretrial release.

(w) “Prior incarceration within the state” means any prior history of a defendant being incarcerated in a county detention facility or state correctional institution or facility.

(x) “Tentative release date” means the anticipated date that an inmate will be released from incarceration after the application of adjustments for any gain-time earned or credit for time served.

(y) “Sexual offender flag” means an indication that a defendant required to register as a sexual predator as defined in s. 775.21 or as a sexual offender as defined in s. 943.0435.

(3) DATA COLLECTION AND REPORTING.—Beginning January 1, 2019, an entity required to collect data in accordance with this subsection shall collect the specified data required of the entity on a biweekly basis. Each entity shall report the data collected in accordance with this subsection to the Department of Law Enforcement on a monthly basis.

(a) Clerk of the court.—Each clerk of court shall collect the following data for each criminal case:

1. Case number.
2. Date that the alleged offense occurred.
3. County in which the offense is alleged to have occurred.
4. Date the defendant is taken into physical custody by a law enforcement agency or is issued a notice to appear on a criminal charge, if such date is different from the date the offense is alleged to have occurred.
5. Date that the criminal prosecution of a defendant is formally initiated through the filing, with the clerk of the court, of an information by the state attorney or an indictment issued by a grand jury.
6. Arraignment date.
7. Attorney assignment date.
8. Attorney withdrawal date.
9. Case status.
10. Disposition date.
11. Information related to each defendant, including:
  - a. Identifying information, including name, date of birth, age, race or ethnicity, and gender.
  - b. Zip code of primary residence.
  - c. Primary language.
  - d. Citizenship.
  - e. Immigration status, if applicable.
  - f. Whether the defendant has been found by a court to be indigent pursuant to s. 27.52.
12. Information related to the formal charges filed against the defendant, including:
  - a. Charge description.
  - b. Charge modifier, if applicable.
  - c. Drug type for each drug charge, if known.
  - d. Qualification for a flag designation as defined in this section, including a domestic violence flag, gang affiliation flag, sexual offender flag, habitual offender flag, or pretrial release violation flag.
13. Information related to bail or bond and pretrial release determinations, including the dates of any such determinations:

a. *Pretrial release determination made at a first appearance hearing that occurs within 24 hours of arrest, including all monetary and non-monetary conditions of release.*

b. *Modification of bail or bond conditions made by a court having jurisdiction to try the defendant or, in the absence of the judge of the trial court, by the circuit court, including modifications to any monetary and nonmonetary conditions of release.*

c. *Cash bail or bond payment, including whether the defendant utilized a bond agent to post a surety bond.*

d. *Date defendant is released on bail, bond, or pretrial release.*

e. *Bail or bond revocation due to a new offense, a failure to appear, or a violation of the terms of bail or bond, if applicable.*

14. *Information related to court dates and dates of motions and appearances, including:*

a. *Date of any court appearance and the type of proceeding scheduled for each date reported.*

b. *Date of any failure to appear in court, if applicable.*

c. *Judicial transfer date, if applicable.*

d. *Trial date.*

e. *Date that a defendant files a notice to participate in discovery.*

f. *Speedy trial motion and hearing dates, if applicable.*

g. *Dismissal motion and hearing dates, if applicable.*

15. *Defense attorney type.*

16. *Information related to sentencing, including:*

a. *Date that a court enters a sentence against a defendant.*

b. *Charge sentenced to, including charge sequence number, charge description, statute, type, and charge class severity.*

c. *Sentence type and length imposed by the court, including, but not limited to, the total duration of imprisonment in a county detention facility or state correctional institution or facility, and conditions probation or community control supervision.*

d. *Amount of time served in custody by the defendant related to the reported criminal case that is credited at the time of disposition of the case to reduce the actual length of time the defendant will serve on the term of imprisonment that is ordered by the court at disposition.*

e. *Total amount of court fees imposed by the court at the disposition of the case.*

f. *Outstanding balance of the defendant's court fees imposed by the court at disposition of the case.*

g. *Total amount of fines imposed by the court at the disposition of the case.*

h. *Outstanding balance of the defendant's fines imposed by the court at disposition of the case.*

i. *Restitution amount ordered, including the amount collected by the court and the amount paid to the victim, if applicable.*

j. *Digitized sentencing scoresheet prepared in accordance with s. 921.0024.*

17. *The number of judges or magistrates, or their equivalents, hearing cases in circuit or county criminal divisions of the circuit court. Judges or magistrates, or their equivalents, who solely hear appellate cases from the county criminal division are not to be reported under this subparagraph.*

(b) *State attorney.—Each state attorney shall collect the following data:*

1. *Information related to a human victim of a criminal offense, including:*

a. *Identifying information of the victim, including race or ethnicity, gender, and age.*

b. *Relationship to the offender, if any.*

2. *Number of full-time prosecutors.*

3. *Number of part-time prosecutors.*

4. *Annual felony caseload.*

5. *Annual misdemeanor caseload.*

6. *Any charge referred to the state attorney by a law enforcement agency related to an episode of criminal activity.*

7. *Number of cases in which a no-information was filed.*

8. *Information related to each defendant, including:*

a. *Each charge referred to the state attorney by a law enforcement agency related to an episode of criminal activity.*

b. *Drug type for each drug charge, if applicable.*

(c) *Public defender.—Each public defender shall collect the following data for each criminal case:*

1. *Number of full-time public defenders.*

2. *Number of part-time public defenders.*

3. *Number of contract attorneys representing indigent defendants for the office of the public defender.*

4. *Annual felony caseload.*

5. *Annual misdemeanor caseload.*

(d) *County detention facility.—The administrator of each county detention facility shall collect the following data:*

1. *Maximum capacity for the county detention facility.*

2. *Weekly admissions to the county detention facility for a revocation of probation or community control.*

3. *Daily population of the county detention facility, including the specific number of inmates in the custody of the county that:*

a. *Are awaiting case disposition.*

b. *Have been sentenced by a court to a term of imprisonment in the county detention facility.*

c. *Have been sentenced by a court to a term of imprisonment with the Department of Corrections and who are awaiting transportation to the department.*

d. *Have a federal detainer or are awaiting disposition of a case in federal court.*

4. *Information related to each inmate, including:*

a. *Date a defendant is processed into the county detention facility subsequent to an arrest for a new violation of law or for a violation of probation or community control.*

b. *Reason why a defendant is processed into the county detention facility if it is for a new law violation or a violation of probation or community control.*

b. *Qualification for a flag designation as defined in this section, including domestic violence flag, gang affiliation flag, habitual offender flag, pretrial release violation flag, or sexual offender flag.*

5. *Total population of the county detention facility at year-end. This data must include the same specified classifications as subparagraph 3.*

- 6. *Per diem rate for a county detention facility bed.*
- 7. *Daily number of correctional officers for the county detention facility.*
- 8. *Annual county detention facility budget. This information only needs to be reported once annually at the beginning of the county's fiscal year.*
- 9. *Revenue generated for the county from the temporary incarceration of federal defendants or inmates.*

(e) *Department of Corrections.—The Department of Corrections shall collect the following data:*

- 1. *Information related to each inmate, including:*
  - a. *Identifying information, including name, date of birth, race or ethnicity, and identification number assigned by the department.*
  - b. *Number of children.*
  - c. *Education level, including any vocational training.*
  - d. *Date the inmate was admitted to the custody of the department.*
  - e. *Current institution placement and the security level assigned to the institution.*
  - f. *Custody level assignment.*
  - g. *Qualification for a flag designation as defined in this section, including sexual offender flag, habitual offender flag, gang affiliation flag, or concurrent or consecutive sentence flag.*
  - h. *County that committed the prisoner to the custody of the department.*
  - i. *Whether the reason for admission to the department is for a new conviction or a violation of probation, community control, or parole. For an admission for a probation, community control, or parole violation, the department shall report whether the violation was technical or based on a new violation of law.*
  - j. *Specific statutory citation for which the inmate was committed to the department, including, for an inmate convicted of drug trafficking under s. 893.135, the statutory citation for each specific drug trafficked.*
  - k. *Length of sentence or concurrent or consecutive sentences served.*
  - l. *Tentative release date.*
  - m. *Gain time earned in accordance with s. 944.275.*
  - n. *Prior incarceration within the state.*
  - o. *Disciplinary violation and action.*
  - p. *Participation in rehabilitative or educational programs while in the custody of the department.*

2. *Information about each state correctional institution or facility, including:*

- a. *Budget for each state correctional institution or facility.*
- b. *Daily prison population of all inmates incarcerated in a state correctional institution or facility.*
- c. *Daily number of correctional officers for each state correctional institution or facility.*

3. *Information related to persons supervised by the department on probation or community control, including:*

- a. *Identifying information for each person supervised by the department on probation or community control, including his or her name, date of birth, race or ethnicity, sex, and department-assigned case number.*

- b. *Length of probation or community control sentence imposed and amount of time that has been served on such sentence.*

- c. *Projected termination date for probation or community control.*

- d. *Revocation of probation or community control due to a violation, including whether the revocation is due to a technical violation of the conditions of supervision or from the commission of a new law violation.*

4. *Per diem rates for:*

- a. *Prison bed.*
- b. *Probation.*
- c. *Community control.*

*This information only needs to be reported once annually at the time the most recent per diem rate is published.*

(4) **DATA PUBLICLY AVAILABLE.**—Beginning January 1, 2019, the Department of Law Enforcement shall publish datasets in its possession in a modern, open, electronic format that is machine-readable and readily accessible by the public on the department's website. The published data must be searchable, at a minimum, by each data element, county, circuit, and unique identifier. Beginning March 1, 2019, the department shall begin publishing the data received under subsection (2) in the same modern, open, electronic format that is machine-readable and readily accessible to the public on the department's website. The department shall publish all data received under subsection (2) no later than July 1, 2019.

(5) **NONCOMPLIANCE.**—Notwithstanding any other provision of law, an entity required to collect and transmit data under subsection (3)(a) or (3)(d) which does not comply with the requirements of this section is ineligible to receive funding from the General Appropriations Act, any state grant program administered by the Department of Law Enforcement, or any other state agency for 5 years after the date of noncompliance.

Section 3. Section 901.41, Florida Statutes, is created to read:

901.41 **Prearrest diversion programs.**—

(1) **LEGISLATIVE INTENT.**—The Legislature encourages local communities and public or private educational institutions to implement prearrest diversion programs that afford certain adults who fulfill specified intervention and community service obligations the opportunity to avoid an arrest record. The Legislature does not mandate that a particular prearrest diversion program for adults be adopted, but finds that the adoption of the model program provided in this section would allow certain adults to avoid an arrest record while ensuring that they receive appropriate services and fulfill their community service obligations. If a prearrest diversion program is implemented, the program is encouraged to share information with other prearrest diversion programs.

(2) **MODEL PREARREST DIVERSION PROGRAM.**—Local communities and public or private educational institutions may adopt a prearrest diversion program in which:

(a) *Law enforcement officers, at their sole discretion, may issue a civil citation or similar prearrest diversion program notice to certain adults who commit a qualifying misdemeanor offense, as determined by the representatives that develop the program under subsection (3). A civil citation or similar prearrest diversion program notice may be issued if the adult who commits the offense:*

- 1. *Admits that he or she committed the offense or does not contest the offense; and*

- 2. *Has not previously been arrested and has not received an adult civil citation or similar prearrest diversion program notice, unless the terms of the local adult prearrest diversion program allow otherwise. The local adult prearrest diversion program shall establish a limit on the number of times an eligible adult may participate in the program.*

(b) *An adult who receives a civil citation or similar prearrest diversion program notice shall report for intake as required by the local*

prearrest diversion program and must be provided appropriate assessment, intervention, education, and behavioral health care services by the program. While in the local prearrest diversion program, the adult shall perform community service hours as specified by the program. The adult shall pay restitution due to the victim as a program requirement. If the adult does not successfully complete the prearrest diversion program, the law enforcement officer must determine if there is good cause to arrest the adult for the original misdemeanor offense and, if so, refer the case to the state attorney to determine whether prosecution is appropriate or, in the absence of a finding of good cause, allow the adult to continue in the program.

(3) **PROGRAM DEVELOPMENT; IMPLEMENTATION; OPERATION.**—

(a) Representatives of participating law enforcement agencies, a representative of the program services provider, the public defender, the state attorney, and the clerk of the circuit court shall create the prearrest diversion program and develop its policies and procedures, including, but not limited to, eligibility criteria, program implementation and operation, and the determination of the fee, if any, to be paid by adults participating in the program. In developing the program's policies and procedures, which must include the designation of the misdemeanor offenses that qualify adults for participation in the program, the representatives must solicit input from other interested stakeholders. The program may be operated by an entity such as a law enforcement agency or a county or municipality, or other entity selected by the county or municipality.

(b) Upon intake of an adult participating in the prearrest diversion program, the program operator shall electronically provide the participant's personal identifying information to the clerk of the circuit court for the county in which the program provides services. Such information is not a court record, and the clerk of the circuit court shall maintain the confidentiality of the participant's personal identifying information as provided in subsection (5). The clerk of the circuit court shall maintain such information in a statewide database, which must provide a single point of access for all such statewide information. If the program imposes a participation fee, the clerk of the circuit court must receive a reasonable portion, to be determined by the stakeholders creating the program, for receipt and maintenance of the required information. The fee shall be deposited by the clerk of the circuit court into the fine and forfeiture fund established under s. 142.01.

(4) **APPLICABILITY.**—This section does not preempt a county or municipality from enacting noncriminal sanctions for a violation of an ordinance or other violation, and it does not preempt a county, a municipality, or a public or private educational institution from creating its own model for a prearrest diversion program for adults.

(5) **ELIGIBILITY.**—A violent misdemeanor, a misdemeanor crime of domestic violence, as defined in s. 741.28, or a misdemeanor under s. 741.29, s. 741.31, s. 784.046, s. 784.047, s. 784.048, s. 784.0487, or s. 784.049 does not qualify for a civil citation or prearrest diversion program.

Section 4. Paragraph (b) of subsection (4) of section 907.043, Florida Statutes, is amended to read:

907.043 Pretrial release; citizens' right to know.—

(4)

(b) The annual report must contain, but need not be limited to:

1. The name, location, and funding sources of the pretrial release program, including the amount of public funds, if any, received by the pretrial release program.

2. The operating and capital budget of each pretrial release program receiving public funds.

3.a. The percentage of the pretrial release program's total budget representing receipt of public funds.

b. The percentage of the total budget which is allocated to assisting defendants obtain release through a nonpublicly funded program.

c. The amount of fees paid by defendants to the pretrial release program.

4. The number of persons employed by the pretrial release program.

5. The number of defendants assessed and interviewed for pretrial release.

6. The number of defendants recommended for pretrial release.

7. The number of defendants for whom the pretrial release program recommended against nonsecured release.

8. The number of defendants granted nonsecured release after the pretrial release program recommended nonsecured release.

9. The number of defendants assessed and interviewed for pretrial release who were declared indigent by the court.

10. The number of defendants accepted into a pretrial release program who paid a surety or cash bail or bond.

11. The number of defendants for whom a risk assessment tool was used in determining whether the defendant should be released pending the disposition of the case and the number of defendants for whom a risk assessment tool was not used.

12. The specific statutory citation for each criminal charge related to a defendant whose case is accepted into a pretrial release program, including, at a minimum, the number of defendants charged with dangerous crimes as defined in s. 907.041; nonviolent felonies; or misdemeanors only. A "nonviolent felony" for purposes of this subparagraph excludes the commission of, an attempt to commit, or a conspiracy to commit any of the following:

a. An offense enumerated in s. 775.084(1)(c);

b. An offense that requires a person to register as a sexual predator in accordance with s. 775.21 or as a sexual offender in accordance with s. 943.0435

c. Failure to register as a sexual predator in violation of s. 775.21 or as a sexual offender in violation of s. 943.0435;

d. Facilitating or furthering terrorism in violation of s. 775.31;

e. A forcible felony as described in s. 776.08;

f. False imprisonment in violation of s. 787.02;

g. Burglary of a dwelling or residence in violation of s. 810.02(3).

h. Abuse, aggravated abuse, and neglect of an elderly person or disabled adult in violation of s. 825.102;

i. Abuse, aggravated abuse, and neglect of a child in violation of s. 827.03;

j. Poisoning of food or water in violation of s. 859.01;

k. Abuse of a dead human body in violation of s. 872.06;

l. A capital offense in violation of chapter 893;

m. An offense that results in serious bodily injury or death to another human; or

n. A felony offense in which the defendant used a weapon or firearm in the commission of the offense.

13. The number of defendants accepted into a pretrial release program with no prior criminal conviction.

~~14.10.~~ The name and case number of each person granted nonsecured release who:

a. Failed to attend a scheduled court appearance.

b. Was issued a warrant for failing to appear.

c. Was arrested for any offense while on release through the pretrial release program.

~~15.11.~~ Any additional information deemed necessary by the governing body to assess the performance and cost efficiency of the pretrial release program.

Section 5. Subsections (3), (4), (5), (6), and (7) of section 921.0024, Florida Statutes, are amended to read:

921.0024 Criminal Punishment Code; worksheet computations; scoresheets.—

(3) A single *digitized* scoresheet shall be prepared for each defendant to determine the permissible range for the sentence that the court may impose, except that if the defendant is before the court for sentencing for more than one felony and the felonies were committed under more than one version or revision of the guidelines or the code, separate *digitized* scoresheets must be prepared. The scoresheet or scoresheets must cover all the defendant's offenses pending before the court for sentencing. The state attorney shall prepare the *digitized* scoresheet or scoresheets, which must be presented to the defense counsel for review for accuracy in all cases unless the judge directs otherwise. The defendant's scoresheet or scoresheets must be approved and signed by the sentencing judge.

(4) The Department of Corrections, in consultation with the Office of the State Courts Administrator, state attorneys, and public defenders, must develop and submit the revised *digitized* Criminal Punishment Code scoresheet to the Supreme Court for approval by June 15 of each year, as necessary. *The digitized scoresheet shall have individual, structured data cells for each data field on the scoresheet.* Upon the Supreme Court's approval of the revised *digitized* scoresheet, the Department of Corrections shall produce and provide ~~sufficient copies of~~ the revised *digitized* scoresheets by September 30 of each year, as necessary. *Digitized* scoresheets must include *individual data cells to indicate item entries for the scoresheet preparer's use in indicating* whether any prison sentence imposed includes a mandatory minimum sentence or the sentence imposed was a downward departure from the lowest permissible sentence under the Criminal Punishment Code.

(5) The Department of Corrections shall ~~make available distribute sufficient copies of~~ the *digitized* Criminal Punishment Code scoresheets to those persons charged with the responsibility for preparing scoresheets.

(6) The clerk of the circuit court shall transmit a complete, ~~and accurate~~ *digitized*, ~~and legible~~ copy of the Criminal Punishment Code scoresheet used in each sentencing proceeding to the Department of Corrections. Scoresheets must be *electronically* transmitted no less frequently than monthly, by the first of each month, and may be sent collectively.

(7) A *digitized* sentencing scoresheet must be prepared for every defendant who is sentenced for a felony offense. ~~A copy of~~ The individual offender's *digitized* Criminal Punishment Code scoresheet and any attachments thereto prepared pursuant to Rule 3.701, Rule 3.702, or Rule 3.703, Florida Rules of Criminal Procedure, or any other rule pertaining to the preparation and submission of felony sentencing scoresheets, must be *included with attached to the copy of* the uniform judgment and sentence form provided to the Department of Corrections.

Section 6. Section 943.0582, Florida Statutes, is amended to read:

943.0582 ~~Prearrest, postarrest, or teen court~~ Diversion program expunction.—

(1) Notwithstanding any law dealing generally with the preservation and destruction of public records, the department *shall adopt rules to may provide, by rule adopted pursuant to chapter 120,* for the expunction of a ~~any~~ nonjudicial record of the arrest of a minor who has successfully completed a ~~prearrest or postarrest~~ diversion program for a ~~misdemeanor offense~~ *minors as authorized by s. 985.125.*

(2)~~(a)~~ As used in this section, the term:

(a) "*Diversion program*" means a program under s. 985.12, s. 985.125, s. 985.155, or s. 985.16 or a program to which a referral is made by a state attorney under s. 985.15.

(b) "Expunction" has the same meaning ascribed in and effect as s. 943.0585, except that:

1. The provisions of s. 943.0585(4)(a) do not apply, except that the criminal history record of a person whose record is expunged pursuant to this section shall be made available only to criminal justice agencies for the purpose of:

a. Determining eligibility for ~~prearrest, postarrest, or teen court~~ diversion programs;

b. ~~when the record is sought as part of~~ A criminal investigation; or

c. ~~Making a prosecutorial decision under s. 985.15 when the subject of the record is a candidate for employment with a criminal justice agency. For all other purposes, a person whose record is expunged under this section may lawfully deny or fail to acknowledge the arrest and the charge covered by the expunged record.~~

2. Records maintained by local criminal justice agencies in the county in which the arrest occurred that are eligible for expunction pursuant to this section shall be sealed as the term is used in s. 943.059.

~~(b) As used in this section, the term "nonviolent misdemeanor" includes simple assault or battery when prearrest or postarrest diversion expunction is approved in writing by the state attorney for the county in which the arrest occurred.~~

(3) The department shall expunge the nonjudicial arrest record of a minor who has successfully completed a ~~prearrest or postarrest~~ diversion program if that minor:

(a) Submits an application for ~~prearrest or postarrest~~ diversion expunction, on a form prescribed by the department, signed by the minor's parent or legal guardian, or by the minor if he or she has reached the age of majority at the time of applying.

(b) Submits to the department, with the application, an official written statement from the state attorney for the county in which the arrest occurred certifying that he or she has successfully completed that county's ~~prearrest or postarrest~~ diversion program, that his or her participation in the program was based on an arrest for a ~~nonviolent~~ misdemeanor, and that he or she has not otherwise been charged by the state attorney with, or found to have committed, any criminal offense or comparable ordinance violation.

~~(c) Participated in a prearrest or postarrest diversion program that expressly authorizes or permits such expunction.~~

~~(d) Participated in a prearrest or postarrest diversion program based on an arrest for a nonviolent misdemeanor that would not qualify as an act of domestic violence as that term is defined in s. 741.28.~~

~~(c)(e)~~ Has never been, before filing the application for expunction, charged by the state attorney with, or found to have committed, any criminal offense or comparable ordinance violation.

~~(4) The department is authorized to charge a \$75 processing fee for each request received for prearrest or postarrest diversion program expunction, for placement in the Department of Law Enforcement Operating Trust Fund, unless such fee is waived by the executive director.~~

~~(4)(5)~~ Expunction or sealing granted under this section does not prevent the minor who receives such relief from petitioning for the expunction or sealing of a later criminal history record as provided for in ss. 943.0583, 943.0585, and 943.059, if the minor is otherwise eligible under those sections.

Section 7. Section 943.687, Florida Statutes, is created to read:

943.687 *Criminal justice data transparency.—In order to facilitate the availability of comparable and uniform criminal justice data, the department shall:*

(1) *Collect, compile, maintain, and manage the data submitted by local and state entities pursuant to s. 900.05 and coordinate related activities to collect and submit data. The department shall create a unique identifier for each criminal case received from the clerks of court which identifies the person who is the subject of the criminal case. The*

unique identifier must be the same for that person in any court case and used across local and state entities for all information related to that person at any time. The unique identifier shall be randomly created and may not include any portion of the person's social security number or date of birth.

(2) Promote criminal justice data sharing by making such data received under s. 900.05 comparable, transferable, and readily usable.

(3) Create and maintain an Internet-based database of criminal justice data received under s. 900.05 in a modern, open, electronic format that is machine-readable and readily accessible through an application program interface. The database shall allow the public to search, at a minimum, by each data element, county, judicial circuit, or unique identifier. The department may not require a license or charge a fee to access or receive information from the database.

(4) Develop written agreements with local, state, and federal agencies to facilitate criminal justice data sharing.

(5) Establish by rule:

(a) Requirements for the entities subject to the requirements of s. 900.05 to submit data through an application program interface.

(b) A data catalog defining data objects, describing data fields, and detailing the meaning of and options for each data element reported pursuant to s. 900.05.

(c) How data collected pursuant to s. 900.05 is compiled, processed, structured, used, or shared. The rule shall provide for tagging all information associated with each case number and unique identifier.

(d) Requirements for implementing and monitoring the Internet-based database under subsection (3).

(e) How information contained in the Internet-based database under subsection (3) is accessed by the public.

(6) Consult with local, state, and federal criminal justice agencies and other public and private users of the database under subsection (3) on the data elements collected under s. 900.05, the use of such data, and adding data elements to be collected.

(7) Monitor data collection procedures and test data quality to facilitate the dissemination of accurate, valid, reliable, and complete criminal justice data.

(8) Develop methods for archiving data, retrieving archived data, and data editing and verification.

Section 8. Section 945.041, Florida Statutes, is created to read:

**945.041 Reports.**—The department shall publish on its website and make available to the public the following information, updated on a quarterly basis:

(1) Inmate admissions by offense type. Burglary of dwelling offenses under s. 810.02(2), (3)(a), and (3)(b) shall be reported as a separate category from all other property crimes.

(2) The recidivism rate. As used in this subsection, the term "recidivism" means an inmate's rearrest, reconviction, reincarceration, or probation revocation in the state within a 3-year time period following the inmate's release from incarceration.

Section 9. Section 985.12, Florida Statutes, is amended to read:

**985.12 Civil citation or similar prearrest diversion programs.**—

(1) **LEGISLATIVE FINDINGS AND INTENT.**—The Legislature finds that the creation and implementation of civil citation or similar prearrest diversion programs at the judicial circuit level promotes public safety, aids interagency cooperation, and provides the greatest chance of success for civil citation and similar prearrest diversion programs. The Legislature further finds that the widespread use of civil citation and similar prearrest diversion programs has a positive effect on the criminal justice system and contributes to an overall reduction in the crime rate and recidivism in the state. The Legislature encourages but does not

mandate that counties, municipalities, and public or private educational institutions participate in a civil citation or similar prearrest diversion program created by their judicial circuit under this section. ~~There is established a juvenile civil citation process for the purpose of providing an efficient and innovative alternative to custody by the Department of Juvenile Justice for children who commit nonserious delinquent acts and to ensure swift and appropriate consequences. The department shall encourage and assist in the implementation and improvement of civil citation programs or other similar diversion programs around the state.~~

(2) **JUDICIAL CIRCUIT CIVIL CITATION OR SIMILAR PRE-ARREST DIVERSION PROGRAM DEVELOPMENT, IMPLEMENTATION AND OPERATION.**—

(a) ~~The~~ civil citation or similar prearrest diversion program for misdemeanor offenses shall be established in each judicial circuit in the state. ~~The at the local level with the concurrence of the chief judge of the circuit, state attorney and, public defender of each circuit, the clerk of the court for each county in the circuit, and representatives of participating law enforcement agencies in the circuit shall create a civil citation or similar prearrest diversion program and develop its policies and procedures. In developing the program's policies and procedures, input from other interested stakeholders may be solicited. The department shall annually develop and provide guidelines on best practice models for civil citation or similar prearrest diversion programs to the judicial circuits as a resource.~~

(b) Each judicial circuit's civil citation or similar prearrest diversion program must specify:

1. The misdemeanor offenses that qualify a juvenile for participation in the program;

2. The eligibility criteria for the program;

3. The program's implementation and operation;

4. The program's requirements, including, but not limited to, the completion of community service hours, payment of restitution, if applicable, and intervention services indicated by a needs assessment of the juvenile, approved by the department, such as family counseling, urinalysis monitoring, and substance abuse and mental health treatment services; and

5. A program fee, if any, to be paid by a juvenile participating in the program. If the program imposes a fee, the clerk of the court of the applicable county must receive a reasonable portion of the fee.

(c) The state attorney of each circuit shall operate a civil citation or similar prearrest diversion program in each circuit. A sheriff, police department, county, municipality, or public or private educational institution may continue to operate an independent civil citation or similar prearrest diversion program that is in operation as of October 1, 2018, if the independent program is reviewed by the state attorney of the applicable circuit and he or she determines that the independent program is substantially similar to the civil citation or similar prearrest diversion program developed by the circuit. If the state attorney determines that the independent program is not substantially similar to the civil citation or similar prearrest diversion program developed by the circuit, the operator of the independent diversion program may revise the program and the state attorney may conduct an additional review of the independent program.

(d) A judicial circuit may model an existing sheriff, police department, county, municipality, or public or private educational institution's independent civil citation or similar prearrest diversion program in developing the civil citation or similar prearrest diversion program for the circuit.

(e) If a juvenile does not successfully complete the civil citation or similar prearrest diversion program, the arresting law enforcement officer shall determine if there is good cause to arrest the juvenile for the original misdemeanor offense and refer the case to the state attorney to determine if prosecution is appropriate or allow the juvenile to continue in the program ~~and the head of each local law enforcement agency involved. The program may be operated by an entity such as a law enforcement agency, the department, a juvenile assessment center, the~~

county or municipality, or another entity selected by the county or municipality. An entity operating the civil citation or similar diversion program must do so in consultation and agreement with the state attorney and local law enforcement agencies. Under such a juvenile civil citation or similar diversion program, a law enforcement officer, upon making contact with a juvenile who admits having committed a misdemeanor, may choose to issue a simple warning or inform the child's guardian or parent of the child's infraction, or may issue a civil citation or require participation in a similar diversion program, and assess up to 50 community service hours, and require participation in intervention services as indicated by an assessment of the needs of the juvenile, including family counseling, urinalysis monitoring, and substance abuse and mental health treatment services.

(f) A copy of each civil citation or similar prearrest diversion program notice issued under this section shall be provided to the department, and the department shall enter appropriate information into the juvenile offender information system. Use of the civil citation or similar diversion program is not limited to first-time misdemeanors and may be used in up to two subsequent misdemeanors. If an arrest is made, a law enforcement officer must provide written documentation as to why an arrest was warranted.

(g) At the conclusion of a juvenile's civil citation program or similar prearrest diversion program, the state attorney or operator of the independent program agency operating the program shall report the outcome to the department. The issuance of a civil citation or similar prearrest diversion program notice is not considered a referral to the department.

(2) The department shall develop guidelines for the civil citation program which include intervention services that are based upon proven civil citation or similar diversion programs within the state.

(h)(3) Upon issuing such a civil citation or similar prearrest diversion program notice, the law enforcement officer shall send a copy of the civil citation or similar prearrest diversion program notice to county sheriff, state attorney, the appropriate intake office of the department, or the community service performance monitor designated by the department, the parent or guardian of the child, and to the victim.

(4) The child shall report to the community service performance monitor within 7 working days after the date of issuance of the citation. The work assignment shall be accomplished at a rate of not less than 5 hours per week. The monitor shall advise the intake office immediately upon reporting by the child to the monitor, that the child has in fact reported and the expected date upon which completion of the work assignment will be accomplished.

(5) If the child fails to report timely for a work assignment, complete a work assignment, or comply with assigned intervention services within the prescribed time, or if the juvenile commits a subsequent misdemeanor, the law enforcement officer shall issue a report alleging the child has committed a delinquent act, at which point a juvenile probation officer shall process the original delinquent act as a referral to the department and refer the report to the state attorney for review.

(6) At the time of issuance of the citation by the law enforcement officer, such officer shall advise the child that the child has the option to refuse the citation and to be referred to the intake office of the department. That option may be exercised at any time before completion of the work assignment.

Section 10. Subsection (3) of section 985.125, Florida Statutes, is amended to read:

985.125 Prearrest or postarrest diversion programs.—

(3) The prearrest or postarrest diversion program may, upon agreement of the agencies that establish the program, provide for the expunction of the nonjudicial arrest record of a minor who successfully completes such a program pursuant to s. 943.0582.

Section 11. Paragraphs (f), (g), (h), (i), and (j) of subsection (1) of section 985.145, Florida Statutes, are redesignated as paragraphs (g), (h), (i), (j), and (k), respectively, and a new paragraph (f) is added to that subsection, to read:

985.145 Responsibilities of the department during intake; screenings and assessments.—

(1) The department shall serve as the primary case manager for the purpose of managing, coordinating, and monitoring the services provided to the child. Each program administrator within the Department of Children and Families shall cooperate with the primary case manager in carrying out the duties and responsibilities described in this section. In addition to duties specified in other sections and through departmental rules, the department shall be responsible for the following:

(f) *Prevention web.*—For a child with a first-time misdemeanor offense, the department shall enter all related information into the Juvenile Justice Information System Prevention Web until such time as formal charges are filed. If formal charges are not filed, the information shall remain in the Juvenile Justice Information System Prevention Web until removed pursuant to department policies.

Section 12. Section 985.126, Florida Statutes, is created to read:

985.126 *Diversion programs; data collection; denial of participation or expunged record.*—

(1) As used in this section, the term “diversion program” has the same meaning as provided in s. 943.0582.

(2) Upon issuance of documentation requiring a minor to participate in a diversion program, before or without an arrest, the issuing law enforcement officer shall send a copy of such documentation to the entity designated to operate the diversion program and to the department, which shall enter such information into the Juvenile Justice Information System Prevention Web.

(3)(a) Beginning October 1, 2018, each diversion program shall submit data to the department which identifies for each minor participating in the diversion program:

1. The race, ethnicity, gender, and age of that minor.
2. The offense committed, including the specific law establishing the offense.
3. The judicial circuit and county in which the offense was committed and the law enforcement agency that had contact with the minor for the offense.
4. Other demographic information necessary to properly register a case into the Juvenile Justice Information System Prevention Web, as specified by the department.

(b) Beginning October 1, 2018, each law enforcement agency shall submit to the department data that identifies for each minor who was eligible for a diversion program, but was instead referred to the department, provided a notice to appear, or arrested:

1. The data required pursuant to paragraph (a).
2. Whether the minor was offered the opportunity to participate in a diversion program. If the minor was:
  - a. Not offered such opportunity, the reason such offer was not made.
  - b. Offered such opportunity, whether the minor or his or her parent or legal guardian declined to participate in the diversion program.

(c) The data required pursuant to paragraph (a) shall be submitted to the department quarterly.

(d) The data required pursuant to paragraph (b) shall be submitted on or with the arrest affidavit or notice to appear.

(4) Beginning January 1, 2019, the department shall compile and semiannually publish the data required by subsection (3) on the department's website in a format that is, at a minimum, sortable by judicial circuit, county, law enforcement agency, race, ethnicity, gender, age, and offense committed.

(5) A minor who successfully completes a diversion program for a first-time misdemeanor offense may lawfully deny or fail to acknowledge his or her participation in the program and an expunction of a non-judicial arrest record under s. 943.0582, unless the inquiry is made by a criminal justice agency, as defined in s. 943.045, for a purpose described in s. 943.0582(2)(b)1.

(6) The department shall adopt rules to implement this section.

Section 13. A pilot project is established in the Sixth Judicial Circuit for the purpose of improving criminal justice data transparency and ensuring data submitted under s. 900.05, Florida Statutes, is accurate, valid, reliable, and structured. The clerk of court, the state attorney, the public defender, or a sheriff in the circuit may enter into a memorandum of understanding with a national, nonpartisan, not-for-profit entity which provides data and measurement for county-level criminal justice systems to establish the duties and responsibilities of a data fellow, completely funded by the entity, to be embedded with the office or agency. The data fellow will assist with data extraction, validation, and quality and publish such data consistent with the terms of the memorandum. The data fellow will assist the office or agency in compiling and reporting data pursuant to s. 900.05, Florida Statutes, in compliance with rules established by the Department of Law Enforcement. The pilot project shall expire pursuant to the terms outlined in the memorandum.

Section 14. For the 2018-2019 fiscal year, nine full-time equivalent positions with an associated total salary rate of 476,163 are authorized and the recurring sum of \$665,884 and the nonrecurring sum of \$1,084,116 are appropriated from the General Revenue Fund to the Department of Law Enforcement for the purposes of implementing ss. 900.05(4) and 943.687, Florida Statutes, transitioning to incident-based crime reporting, and collecting and submitting crime statistics that meet the requirements of the Federal Bureau of Investigation under the National Incident-Based Reporting System.

Section 15. This act shall take effect July 1, 2018.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to criminal justice; amending s. 20.315, F.S.; requiring the Department of Corrections to include information in its annual report on inmate admission based on offense type and recidivism rate; creating s. 900.05, F.S.; providing legislative intent; declaring an important state interest; providing definitions; requiring specified entities to collect and periodically transmit specific data to the Department of Law Enforcement; requiring the department to compile, maintain, and make publicly accessible such data; providing sanctions for noncompliance by an entity required to collect and transmit data; creating s. 901.41, F.S.; providing legislative intent; encouraging local communities and public or private educational institutions to implement prearrest diversion programs for certain offenders; encouraging prearrest diversion programs to share information with other prearrest diversion programs; authorizing law enforcement officers, at their sole discretion, to issue a civil citation or similar prearrest diversion program notice under specified circumstances to adults who commit certain misdemeanor offenses; requiring an adult who receives a civil citation or similar prearrest diversion program notice to report for intake as required by the prearrest diversion program; requiring that the prearrest diversion program provide specified services to adults who participate, as appropriate; requiring that an adult who is issued a civil citation or similar prearrest diversion program notice fulfill a community service requirement; requiring the adult to pay restitution to a victim; requiring law enforcement officers to determine whether there is good cause to arrest participants who do not successfully complete a prearrest diversion program and, if so, to refer the case to the state attorney, or, in the absence of good cause, to allow the participant to continue in the program; requiring representatives of specified entities to create the prearrest diversion program; requiring the entities to develop policies and procedures for the development and operation of the program, including designation of the misdemeanor offenses that qualify persons for participation, and to solicit input from other interested stakeholders; authorizing specified entities to operate programs; requiring prearrest diversion program operators to electronically provide participants' personal identifying information to the clerk of the circuit court; specifying requirements for the clerks' handling and maintenance

of certain information; requiring that a portion of any participation fee go to the appropriate clerk of the circuit court; requiring fees received by the clerks of the circuit court to be deposited in a certain fund; providing applicability; specifying that certain offenses are ineligible for such programs; amending s. 907.043, F.S.; requiring each pretrial release program to include in its annual report the types of criminal charges of defendants accepted into a pretrial release program, the number of defendants accepted into a pretrial release program who paid a bail or bond, the number of defendants accepted into a pretrial release program with no prior criminal conviction, and the number of defendants for whom a pretrial risk assessment tool was used or was not; amending s. 921.0024, F.S.; requiring scoresheets prepared for all criminal defendants to be digitized; requiring the Department of Corrections to develop and submit revised digitized scoresheets to the Supreme Court for approval; requiring digitized scoresheets to include individual data cells for each field on the scoresheet; requiring the clerk of court to electronically transmit the digitized scoresheet used in each sentencing proceeding to the department; amending s. 943.0582, F.S.; requiring, rather than authorizing, the Department of Law Enforcement to adopt rules for the expunction of certain nonjudicial records of the arrest of a minor upon successful completion by the minor of certain diversion programs; providing and revising definitions; revising the circumstances under which the department must expunge certain nonjudicial arrest records; deleting the department's authority to charge a processing fee for the expunction; creating s. 943.687, F.S.; requiring the Department of Law Enforcement to collect, compile, maintain, and manage data collected pursuant to s. 900.05, F.S.; requiring the department to make data comparable, transferable, and readily usable; requiring an Internet-based database; providing requirements for data searchability and sharing; requiring monitoring of data collection procedures; providing for data archiving, editing, and retrieval; creating s. 945.041, F.S.; requiring the Department of Corrections to publish quarterly on its website inmate admissions based on offense type and recidivism rate; amending s. 985.12, F.S.; providing legislative findings and intent; deleting provisions establishing a juvenile civil citation process with a certain purpose; establishing a civil citation or similar prearrest diversion program in each judicial circuit, rather than at the local level, with the concurrence of specified persons; requiring that the state attorney and public defender of each circuit, the clerk of the court for each county in the circuit, and representatives of participating law enforcement agencies create a civil citation or similar prearrest diversion program and develop its policies and procedures; authorizing such entities to solicit stakeholders for input in developing the program's policies and procedures; requiring the Department of Juvenile Justice to annually develop and provide guidelines on civil citation or similar prearrest diversion programs to the judicial circuits; providing requirements for the civil citation or similar prearrest diversion program; requiring the state attorney of each judicial circuit to operate the civil citation or similar prearrest diversion program; providing an exception; providing construction; requiring the arresting law enforcement officer to make a determination if a juvenile does not successfully complete the civil citation or similar prearrest diversion program; deleting provisions relating to the operation of and requirements for a civil citation or similar prearrest diversion program; requiring that a copy of each civil citation or similar prearrest diversion program notice be provided to the Department of Juvenile Justice; conforming provisions to changes made by the act; deleting provisions relating to requirements for a civil citation or similar prearrest diversion program; amending s. 985.125, F.S.; conforming a provision to changes made by the act; amending s. 985.145, F.S.; requiring the department to enter information pertaining to a first-time misdemeanor offense into Prevention Web until formal charges are filed; requiring the department to retain records of a first-time misdemeanor offense in Prevention Web if formal charges are not filed; creating s. 985.126, F.S.; defining the term "diversion program"; requiring a diversion program to submit to the department specified data relating to diversion programs; requiring a law enforcement agency to submit to the department specified data about diversion programs; requiring the department to compile and publish the data in a specified manner; authorizing a minor under certain circumstances to deny or fail to acknowledge his or her expunction of a certain non-judicial arrest record unless an exception applies; requiring the department to adopt rules; creating a pilot project in a specified judicial circuit to improve criminal justice data transparency and ensure data



submitted under s. 900.05, F.S., is accurate, valid, reliable, and structured; permitting a memorandum of understanding with a national, nonpartisan, not-for-profit foundation meeting certain criteria for the purpose of embedding a data fellow in the office or agency; establishing data fellow duties and responsibilities; providing for the expiration of the pilot project; providing appropriations; providing an effective date.

On motion by Senator Bradley, the Senate concurred in **House Amendment 1 (299739)**.

**CS for CS for SB 1392** passed, as amended, was ordered engrossed, and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Grimsley

**MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS**

The Governor advised that he had filed with the Secretary of State **SB 1940, SB 7024, and CS for SB 7026** which he approved on March 9, 2018.

**EXECUTIVE BUSINESS**

**EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:**

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

	<i>For Term</i>
	<i>Ending</i>
<i>Office and Appointment</i>	
Florida Commission on Community Service	
Appointee: Rubin, Lys, Plantation	09/14/2020
Board of Trustees of Florida SouthWestern State College	
Appointee: Martin, Jonathan, Confidential pursuant to s. 119.071(4), F.S.	05/31/2018
Construction Industry Licensing Board	
Appointee: Thomason, Scott, Confidential pursuant to s. 119.071(4), F.S.	10/31/2020
<b>Referred to the Committee on Ethics and Elections.</b>	
	<i>For Term</i>
	<i>Ending</i>
<i>Office and Appointment</i>	
Board of Trustees, New College of Florida	
Appointee: Aesch, Mark R., Spring Hill	01/06/2020
<b>Referred to the Committees on Education; and Ethics and Elections.</b>	

**REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS**

Ms. Debbie Brown  
Secretary, The Florida Senate  
Suite 405, The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

March 9, 2018

Dear Madam Secretary:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointments and the appointees were left pending and were not acted on by the Senate upon adjournment of the 2018 Regular Session of the Florida Legislature:

	<i>For Term</i>
	<i>Ending</i>
<i>Office and Appointment</i>	
Greater Orlando Aviation Authority	
Appointee: Montalvo, Maria "Maggi"	04/16/2020
Florida Building Code Administrators and Inspectors Board	
Appointee: Leuzinger, Kerry A.	10/31/2020
Florida Commission on Community Service	
Appointees: Hill, Kyle J.	09/14/2019
Rubin, Lys	09/14/2020
Board of Trustees of Florida SouthWestern State College	
Appointees: Boose, Michael	05/31/2021
Martin, Jonathan	05/31/2018
Board of Trustees of Florida State College at Jacksonville	
Appointee: Young, Orrin Wayne	05/31/2021
Board of Trustees of Miami-Dade College	
Appointee: Zapata, Juan C.	05/31/2021
Board of Trustees of Northwest Florida State College	
Appointees: Flynt, Charlotte Ann	05/31/2018
Kelley, Lori K.	05/31/2018
Wright, Thomas B.	05/31/2021
Board of Trustees of Pasco-Hernando State College	
Appointees: Gadd, Raymond "Ray" E., Jr.	05/31/2019
Garcia, David A.	05/31/2021
Maggard, Lee	05/31/2018
Mitten, John Richard	05/31/2019
Board of Trustees of Pensacola State College	
Appointee: Smith, Wendell E.	05/31/2019
Board of Trustees of Polk State College	
Appointee: Barnett, Ashley B.	05/31/2019
Board of Trustees of Tallahassee Community College	
Appointee: Grant, William Eric	05/31/2021
Construction Industry Licensing Board	
Appointees: Cesarone, Donald M., Jr.	10/31/2019
McCullers, Edward M.	10/31/2021
Thomason, Scott	10/31/2020
Board of Professional Engineers	
Appointees: Albergo, Dylan	10/31/2021
Drury, Scott R.	10/31/2021
Higher Educational Facilities Financing Authority	
Appointee: Hooker, John David, II	01/17/2023
Board of Medicine	
Appointees: Falcone, Steven	10/31/2018
Perez, Andre Maurice	10/31/2020

*Office and Appointment*

Board of Nursing  
 Appointees: Raymond, Jenifer 10/31/2021  
 Talmadge, Mary Julie 10/31/2020

Board of Podiatric Medicine  
 Appointee: Sadri, Soorena 10/31/2021

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2018 Regular Session of the Florida Legislature:

*Office and Appointment*

Governing Board of the St. Johns River Water Management District  
 Appointee: Roberts, Allan 03/01/2020

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education and the Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2018 Regular Session of the Florida Legislature:

*Office and Appointment*

Board of Trustees, New College of Florida  
 Appointee: Aesch, Mark R. 01/06/2020

Respectfully submitted,  
 Keith Perry, Chair

Ms. Debbie Brown  
 Secretary, The Florida Senate  
 Suite 405, The Capitol  
 404 South Monroe Street  
 Tallahassee, FL 32399-1100

Dear Madam Secretary:

Please be advised that the following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointments because the terms of the appointments have expired:

*Office and Appointment*

Board of Trustees of Florida Keys Community College  
 Appointee: Suga, Sheldon 05/31/2017

Board of Trustees of St. Petersburg College  
 Appointee: Cole, Katherine E. 05/31/2017

Construction Industry Licensing Board  
 Appointee: Maphis, Robert Lewis, III 10/31/2017

Board of Occupational Therapy Practice  
 Appointee: Calvo, Daniel 10/31/2017

Florida Prepaid College Board  
 Appointee: Rood, John Darrell 06/30/2017

*For Term  
 Ending*

The following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections considered and recommended the following appointment; however, the Senate did not consider the following appointment because the appointee resigned:

*Office and Appointment*

Florida Building Commission  
 Appointee: Carlson, E. Jay 02/11/2021

Please be advised that the following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education and the Senate Committee on Ethics and Elections did not consider the following appointment because the term of the appointment has expired:

*Office and Appointment*

Board of Trustees, Florida Polytechnic University  
 Appointee: Wendt, Gary C. 06/30/2017

Respectfully submitted,  
 Keith Perry, Chair

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### RETURNING MESSAGES — FINAL ACTION

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) to House amendment(s) and passed CS/CS/SB 140 as further amended.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) to House amendment(s) and passed CS/SB 382 as further amended.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1576.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed SB 7028.

Portia Palmer, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Joe Negron, President

\_\_\_\_\_  
The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/CS/CS/HB 841, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/CS/CS/HB 165, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

The Honorable Joe Negron, President

\_\_\_\_\_  
The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed HB 1285, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed HB 215, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

The Honorable Joe Negron, President

\_\_\_\_\_  
The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 1301, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 495, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

The Honorable Joe Negron, President

\_\_\_\_\_  
The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 1393, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/HB 533, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of March 8 was corrected and approved.

\_\_\_\_\_  
The Honorable Joe Negron, President

**ADJOURNMENT**

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS/CS/HB 731, as amended.

\_\_\_\_\_  
*Portia Palmer, Clerk*

On motion by Senator Benacquisto, the Senate adjourned at 10:47 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 3:00 p.m., Sunday, March 11 or upon call of the President.

JOURNAL OF THE SENATE

Daily Numeric Index for

March 9, 2018

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

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

<b>CS/SB 88</b> .....	(BA) 1010	<b>CS/HB 533</b> .....	(BA) 1022, (BP) 1022
<b>SB 100</b> .....	(BA) 1012, (BA) 1015, (BP) 1015	<b>CS/HB 565</b> .....	(BA) 1017, (BP) 1017
<b>CS/CS/CS/SB 296</b> .....	(BA) 977, (BA) 978	<b>HB 577</b> .....	(BA) 1022, (BP) 1022
<b>SB 358</b> .....	(BA) 1020, (BP) 1020	<b>CS/HB 581</b> .....	(BA) 1021, (BP) 1021
<b>CS/SB 382</b> .....	(BP) 1012	<b>HB 599</b> .....	(BA) 1022, (BP) 1022
<b>CS/SB 566</b> .....	(BP) 1007	<b>CS/HB 669</b> .....	(BA) 978, (BA) 979
<b>CS/SB 820</b> .....	(BA) 1023, (BP) 1023	<b>CS/HB 675</b> .....	(BA) 1014, (BP) 1014
<b>CS/SB 848</b> .....	(BA) 1021, (BP) 1021	<b>CS/HB 703</b> .....	(BA) 1016, (BP) 1016
<b>SB 870</b> .....	(BA) 1024, (BP) 1024	<b>CS/CS/CS/HB 705</b> .....	(BA) 1015, (BP) 1015
<b>CS/SB 872</b> .....	(BP) 1008	<b>CS/HB 721</b> .....	(BA) 1022, (BP) 1022
<b>CS/SB 1048</b> .....	(BA) 1026	<b>CS/CS/HB 731</b> .....	(BA) 1024, (BP) 1024
<b>CS/SB 1066</b> .....	(BA) 1018, (BP) 1018	<b>CS/CS/CS/HB 841</b> .....	(BA) 1025, (BP) 1026
<b>CS/CS/SB 1104</b> .....	(BA) 974, (BP) 976	<b>CS/CS/HB 875</b> .....	(BA) 1012, (BP) 1012
<b>CS/CS/CS/SB 1308</b> .....	(BA) 976, (BA) 977	<b>CS/CS/HB 937</b> .....	(BA) 1012, (BA) 1014, (BP) 1014
<b>CS/CS/SB 1314</b> .....	(BA) 1017, (BP) 1018	<b>CS/HB 1065</b> .....	(BA) 1015, (BP) 1016
<b>CS/SB 1348</b> .....	(BA) 1025, (BP) 1025	<b>CS/CS/CS/HB 1069</b> .....	(BA) 1018, (BP) 1019
<b>CS/CS/SB 1392</b> .....	(BP) 1050	<b>CS/CS/HB 1149</b> .....	(BA) 977, (BP) 977
<b>CS/SB 1552</b> .....	(BP) 1041	<b>CS/CS/HB 1151</b> .....	(BA) 1018, (BA) 1027, (BP) 1029
<b>CS/SB 1628</b> .....	(MO) 977, (BA) 982, (BP) 984	<b>HB 1201</b> .....	(BA) 1018, (BP) 1018
<b>CS/SB 1862</b> .....	(BA) 1023, (BP) 1023	<b>CS/CS/HB 1211</b> .....	(BA) 1019, (BP) 1019
<b>SCR 1946</b> .....	(FR) 1026, (BP) 1026, (BA) 1026	<b>CS/HB 1301</b> .....	(BA) 1016, (BA) 1017, (BA) 1027, (BP) 1027
<b>CS/CS/HB 21</b> .....	(BP) 1040	<b>CS/CS/HB 1337</b> .....	(BA) 1019, (BP) 1019
<b>CS/HB 55</b> .....	(BA) 1026, (BP) 1026	<b>CS/CS/HB 1383</b> .....	(BA) 1021, (BP) 1021
<b>CS/CS/HB 141</b> .....	(BA) 1023, (BP) 1023	<b>HCR 1457</b> .....	(BA) 1026
<b>CS/CS/CS/HB 165</b> .....	(BA) 1020, (BP) 1020	<b>HB 6003</b> .....	(BA) 1013, (BP) 1013
<b>HB 215</b> .....	(BA) 1020, (BP) 1020	<b>HB 6009</b> .....	(BA) 1013, (BP) 1013
<b>CS/HB 365</b> .....	(BA) 1026	<b>HB 6501</b> .....	(BA) 1017, (BP) 1017
<b>CS/HB 411</b> .....	(BA) 1015, (BP) 1015	<b>HB 6505</b> .....	(BA) 1014, (BP) 1014
<b>HB 449</b> .....	(BA) 1012, (BP) 1013	<b>CS/CS/HB 6535</b> .....	(BA) 1014, (BP) 1014
<b>CS/CS/HB 465</b> .....	(BA) 1022, (BP) 1023	<b>HB 7037</b> .....	(BA) 1012
<b>CS/CS/HB 483</b> .....	(BA) 1013, (BP) 1013	<b>CS/HB 7061</b> .....	(BA) 1024, (BP) 1024
<b>HB 523</b> .....	(BA) 1018, (BP) 1018	<b>CS/HB 7087</b> .....	(BA) 1023
<b>CS/HB 529</b> .....	(BA) 1013, (BP) 1013	<b>HB 7093</b> .....	(BP) 1030